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IN THE

Supreme Court of the United States

THE PEOPLE OF THE STATE OF ILLINOIS,
ex rel. DONALD NEWMAN,

Petitioner,

VS.

RICHARD J. ELROD,
Sheriff of Cook County, Illinois,

Respondent.

PETITION FOR WRIT OF CERTIORARI TO THE SUPREME AND APPELLATE COURTS OF ILLINOIS

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Petitioner, the People of the State of Illinois, on the relationship of Donald Newman, respectfully petitions this court for a writ of certiorari to issue to review the order of the Supreme Court of Illinois entered October 1, 1979 and the opinion of the Appellate Court of Illinois, First District, filed May 18, 1979.

OPINION BELOW.

The order of the Illinois Supreme Court denied a petition for leave to appeal from an opinion of the Appellate Court of Illinois, First District. The order of the Illinois Supreme Court appears at 76 Ill.2d, October 17, 1979 Advance Sheet, p. xxvii, Docket No. 52291. The opinion filed by the Appellate Court of Illinois, First District, is reported at 72 Ill.App.3d 616, 391 N.E.2d 37 (1979). A copy of the appellate court opinion is appended to this petition for a writ of certiorari as Appendix A.

JURISDICTION.

Jurisdiction of this court is invoked under 28 USC §§1257 and 2101. On May 18, 1979, the Appellate Court of Illinois,

First District, filed its opinion rejecting the arguments of the petitioner in opposition to the issuance of a non-fugitive extradition warrant sought by the State of New Jersey. On June 21, 1979, the Appellate Court of Illinois, First District, denied a petition for rehearing. A timely petition for leave to appeal under the rules of the Illinois Supreme Court was filed in that court and on October 1, 1979, an order was entered denying the petition.

The order of the Illinois Supreme Court constitutes an order of the highest state court of last resort and, unless reviewed and reversed by this court, the petitioner will be extradited from Illinois, the state of his residence, to the State of New Jersey to stand trial under an indictment for conspiracy to violate New Jersey law under circumstances where the conduct charged took place exclusively in Illinois and was legal under Illinois law. The petitioner was never present in New Jersey and is not a fugitive from New Jersey. If petitioner is extradited, the State of New Jersey will be exercising extra-territorial jurisdiction over a resident and citizen of the State of Illinois and such action by the State of New Jersey requires review by this court pursuant to 28 USC §1257.

QUESTION PRESENTED FOR REVIEW

Did the Illinois Appellate Court deny petitioner his rights under the Fourth Amendment of the United States Constitution when it held that it would not consider, in non-fugitive extradition under the Uniform Criminal Extradition Act, whether the conduct complained of by the demanding state was criminal conduct in the asylum state?

CONSTITUTIONAL PROVISIONS AND STATUTES INVOLVED

United States Constitution, Article IV, Section 2, (first and second paragraphs):

The Citizens of each State shall be entitled to Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

United States Constitution, Amendment IV:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Uniform Criminal Extradition Act, Ill. Rev. Stat., 1977, ch. 60, §18-49.

Section 2, (Ill. Rev. Stat., 1977, ch. 60, §19):

Fugitives from Justice: Duty of Governor.) Subject to the provisions of this Act, the provisions of the Constitution of the United States controlling, and any and all acts of Congress enacted in pursuance thereof, it is the duty of the Governor of this State to have arrested and delivered up to the Executive Authority of any other State of the United States any person charged in this State with treason, felony, or other crime, who has fled from justice and is found in this State.

Section 6, (Ill. Rev. Stat., 1977, ch. 60, §23):

Extradition of Persons Not Present in Demanding State at Time of Commission of Crime.) The Governor of this State may also surrender, on demand of the Executive Authority of any other state, any person in the State charged in such other state in the manner provided in Section 3 with committing an act in this State, or in a third state, intentionally resulting in a crime in the state whose Executive Authority is making the demand.

STATEMENT OF THE CASE

A person named "Donald Newman"[1] was indicted by the grand jury of Bergen County, New Jersey, in a three count indictment and charged with conspiracy to violate the New Jersey laws prohibiting any person, as opposed to licensed state agencies, from participating in the private placement of children for adoption. (Appendix B[2], p. B19-B23). Three sets of New Jersey parents who had adopted children were identified only by using last initials and were unindicted co-conspirators. (Appendix B, p. B19, B20, B22). Although each of the indictments charged the named defendant with having committed conduct within the State of New Jersey, it is undisputed that the indicted defendant named "Donald Newman", was never in the State of New Jersey. (Appendix B, p. B2, B17). All conduct alleged in the indictment to constitute acts in furtherance of the conspiracy charge occurred while the named defendant was present in the State of Illinois. (Appendix B, p. B1, B17).

Pursuant to the Bergen County indictment, the Governor of New Jersey filed a request for an extradition warrant with the Governor of Illinois identifying the defendant only as "Donald Newman". No further identification was provided, although the indictment makes reference to numerous telephone calls made by the named defendant from Chicago, Illinois, to the unindicted co-conspirators and also alleges that the unindicted co-conspirators met the named defendant in Chicago, Illinois

1. The identity of the petitioner as the "Donald Newman" sought under the New Jersey indictments arises solely by reason of an evidentiary presumption that identity of names is prima facia proof that the person charged is the person whose custody is being sought. Although the petitioner presented evidence contrary to the presumption, neither the Illinois nor the New Jersey authorities presented any further evidence on this issue. Contrary to the evidentiary rules that once evidence is presented which is contrary to a presumption, the presumption ceases to operate, the Illinois courts relied on the presumption of identity to deprive the petitioner of his liberty.

2. Appendix B constitutes excerpts of the record from the Circuit Court of Cook County.

and issued checks in payment of certain amounts to him. (Appendix B, p. B20, B21, B22, B23). No affidavits as to the named defendant's telephone number, his physical appearance or the bank accounts into which the issued checks were negotiated were provided by the New Jersey or Illinois authorities.

At a hearing before the Circuit Court of Cook County on petitioner's petition for a writ of habeas corpus (Appendix B, p. B1-B3), petitioner produced numerous telephone books showing that there were not less than five (5) persons named "Donald Newman" in the immediate Chicago area, and three (3) more Newmans with the first initial "D". (Appendix B, p. B4-B8, Petitioner's Exhibits 2, 3, 4 and 5). The petitioner, who was fully identified for the Circuit Court of Cook County as Donald Leslie Newman, a Chicago attorney, also produced evidence showing nineteen (19) lawyers named "Newman" in the principal law directory of Chicago attorneys and two (2) such attorneys with the first name "Donald", and another attorney with the initials "C. D.".[3](Appendix B, p. B4, Petitioner's Exhibit 1).

Since each count of the New Jersey indictment charged the named "Donald Newman" with participation in the private placement of a child for adoption, the petitioner also presented the testimony of Melvin Parnell, an attorney employed by the Circuit Court of Cook County to act as guardian ad litem on behalf of children being adopted in private adoption cases. (Appendix B, p. B12, Transcript p. 17-18). Mr. Parnell testified that private placement of children for adoption is proper in Illinois and statistics for the calendar years 1974 to and including 1977 showed that private placements constituted 12.9% to 16% of all adoptions in Cook County. (Appendix B, p. B14,

3. This evidence was presented in the case at bar because the relator is a licensed attorney in Illinois. There is nothing in the papers filed by the State of New Jersey to indicate that the named "Donald Newman" is an attorney and since the indictment involves private placement of children for adoption, the indicted defendant might be a doctor, social worker, nurse, hospital administrator, clergyman, or a person in some other profession or discipline.

Transcript p. 20-21). Mr. Parnell further testified that he was aware of only five (5) of fifty (50) states which have laws proscribing private placement adoptions. (Appendix B. p. B15, Transcript p. 22).

In the Circuit Court of Cook County, petitioner's counsel argued that if the conduct complained of in the indictment was legal in Illinois (the asylum state) then extradition under Section 6 of the Uniform Criminal Extradition Act (non-fugitive section) will not lie. (Appendix B, p. B9-B11, Transcript, p. 12-16). Although the trial judge rejected this argument, he commented that it seemed to be a case of first impression on which an appeal should be taken. (Appendix B, p. B16, Transcript, p. 30).

Petitioner's brief in the Appellate Court of Illinois, First District, raised the issue of whether the conduct charged was illegal in Illinois and specific reference was made to Article IV, Section 2 of the United States Constitution and the distinction between Sections 2 and 6 of the Uniform Criminal Extradition Act. This argument was rejected by the appellate court relying on *Michigan* vs. *Doran,* U.S. , 58 L.Ed. 521, 99 S.Ct. 530, (1978). However, *Doran* is a fugitive case and does not concern itself with non-fugitive extradition.

The argument that blending the fugitive and non-fugitive provisions of the Uniform Criminal Extradition Act was violative of petitioner's rights was again raised in petitioner's petition for leave to appeal to the Illinois Supreme Court. No specific ruling was made by that court with respect to this argument since the petition for leave to appeal was disposed of by a one word order, "denied".

Rule 352(a) of the Rules of the Illinois Supreme Court permits the court to dispose of a case without oral argument and states as follows:

> "After the briefs have been filed, the court may dispose of any case without oral argument if no substantial question is presented, but this power should be exercised sparingly."

Although a proper request for oral argument had been made by petitioner upon the filing of his brief with the Appellate Court of Illinois, that court took the case without oral argument pursuant to the provisions of the above quoted Rule 352(a). The seven (7) page Appellate Court opinion belies the lack of a substantial question and provides no explanation as to why the court acted so precipitously in this case which involves the unusual circumstances of a non-fugitive extradition under Section 6 of the Uniform Criminal Extradition Act.

ARGUMENTS IN SUPPORT OF GRANTING THE WRIT OF CERTIORARI

It is an elementary point of law that extradition involves a pretrial restraint of liberty and that before an extradition warrant may issue, probable cause for the issuance of that warrant must be established. *Michigan* vs. *Doran,* U.S. , 58 L.Ed. 521, 99 S.Ct. 530, (1978); *Gerstein* vs. *Pugh,* 420 U.S. 103 (1975). In *Ierardi* vs. *Gunter,* 528 Fed.2d 929 (1st Cir. 1976), the Court of Appeals, in affirming the granting of habeas corpus relief against an extradition warrant, described extradition as involving significant pretrial restraint of liberty and pointed out:

> "At best, extradition means an extended period of detention, involving custody pending administrative arrangements in two states as well as forced travel in between. At worst it means separation from a familiar jurisdiction and an effective denial of the support of family, friends, and familiar advisors. (528 Fed.2d at p. 930).

The above cited cases all involve extradition of a fugitive from justice. The circumstances in the case at bar involve a non-fugitive situation in that the petitioner was never present in the demanding state, the State of New Jersey, nor did he commit any act within the territorial boundaries of that state. With that factual background in mind, the refusal of the Illinois courts to protect the rights of its own citizen render the circumstances before this court all the more egregious and appropriate for the issuance of a writ of certiorari.

It is also elementary that Fourth Amendment protection is applicable to all extradition proceedings. Consequently, the constitutional protection against search and seizure without probable cause, which is applicable to the fugitive provisions of the Uniform Criminal Extradition Act (Section 2), must also be applied to the non-fugitive provisions (Section 6) of the Uniform Act. In the fugitive provisions of the Uniform Act (Section 2), reference is made to the mandate of the United States Constitution in Article IV, Section 2. The non-fugitive provisions (Section 6) are, instead, permissive in tone. Section 6 provides that the governor of the asylum state "may also surrender" a person charged with committing an act in the asylum state "intentionally resulting in a crime" in the demanding state. It is petitioner's view that the use of the word "intentionally" in the non-fugitive provisions of the Uniform Act, when read in conjunction with the probable cause, protection of the Fourth Amendment, requires the asylum state to determine if the acts complained of constitute a crime under the laws of the asylum state.

The Illinois Appellate Court, relying on the decision of this court in *Michigan* vs. *Doran,* U.S. , 58 L.Ed.521, 99 S.Ct. 530 (1978), rejected the argument that the Fourth Amendment applies to non-fugitive extradition. (Appendix A, p. A-5). However, *Doran* involved a fugitive extradition in which an Arizona justice of the peace directed the issuance of a warrant for Doran's arrest after concluding that there was reasonable cause to believe that a crime had been committed. Mr. Chief Justice Berger's majority opinion concluded that the asylum state was bound to accept the demanding state's judicial determination that there was probable cause to believe a crime had been committed. Mr. Justice Blackmun's special concurring opinion agreed that probable cause existed in the *Doran* case but expressed the view that the asylum state should be allowed to scrutinize the charging documents to ascertain that a detached and neutral determination of probable cause had been made. Thus, under both the majority and special concurring opinion, a determination of probable cause is made in the state where the claimed criminal conduct occurred. *Doran* does not

control the case at bar because the Illinois courts, where the alledged conduct took place, have never made a determination of probable cause. If petitioner's conduct was legal in Illinois, as the evidence presented in the trial court established, then there is no probable cause to believe that a crime occurred and the Fourth Amendment of the Constitution will not permit the petitioner to be extradited to a foreign jurisdiction.

Support for the contention that the word "intentionally" cannot be ignored in applying the probable cause test to the non-fugitive provisions of the Uniform Criminal Extradition Act can be found in the cardinal rule of statutory construction that a statute should be construed so that no word, clause, or sentence is rendered meaningless or superfluous. It is only by ignoring that rule of statutory construction and by blending the fugitive and non-fugitive concepts of the Uniform Criminal Extradition Act that the Appellate Court of Illinois was able to justify refusing to examine the underlying conduct being charged in the foreign indictments. Nothing in the *Doran* opinion, relied upon by the state court opinion, supports such a conclusion.

Further support for the argument that the petitioner has been denied his Fourth Amendment protections rests on an examination of the intention of the Uniform Law Commissioners in drafting Section 6 of the Uniform Criminal Extradition Act. The commissioners' intention was amplified by the legislatures of New York[4] and Rhode Island[5] in adopting the Uniform Act for their states. A full explanation of the New York legislative history was provided in *In Re Taylor,* 323 N.Y.Supp.2d 128 (Supreme Court, New York County, 1971), in a case where the New York court refused to extradite one of its citizens to the State of Texas under an indictment where the acts complained of did not constitute a crime in New York. After reviewing the legislative history, the New York court specifically held that the non-fugitive provisions of the

4. New York Criminal Procedure Law, §570.16 (Consol. 1971).

5. Rhode Island General Laws, §12-9-8 (1970).

Uniform Criminal Extradition Act imposed as a condition precedent to the surrender of an accused person that the acts for which extradition were sought must be punishable by the laws of the State of New York. As stated in the New York courts' opinion:

> "The explanation is to be found in its (Section 834 of the New York Criminal Code of Civil Procedure, the counterpart of Section 6 of the Uniform Criminal Extradition Act) legislative history, which supports this Courts view that it may take testimony on this issue (whether the acts for which extradition is sought would be punishable by the laws of this state). The Code of Criminal Procedure was amended in 1936 to make it conform with the Uniform Extradition Act (Laws 1936, Chapter 892; N.Y.Leg. Doc., 1936, Number 65A). A similar proposal passed by the legislature in 1935 had been vetoed. In his veto message, Governor Lehman explained specifically with respect to Section 834, "I fear that the section is open to the strong possibility of serious misuse and abuse." As explained by the report of the Law Revision Commission (N.Y.Leg. Doc. 1936, Number 65A, pp.14-15), in accordance with Governor Lehman's wish, the proposed Section 834 of the bill was amended so that "extradition under this section is not authorized, unless the very act with which the person demanded is charged would be punishable in this state if the results complained of by the demanding state had occurred geographically in this state." It seems noteworthy that New York is the only jurisdiction which has added this "careful safeguards against the abuse of extradition procedure in this type of case."[6] (Citation Omitted, 323 N.Y.Supp.2nd, at page 131-132).

6. Contrary to this last sentence, the Rhode Island enactment of the Uniform Criminal Extradition Act construes the non-fugitive provision of the Uniform Act in the same way that New York does.

There is no question in the case at bar that the conduct charged by the Bergen County, New Jersey, grand jury against the named defendant, took place exclusively in the State of Illinois and that the named defendant was never present in, nor is he a fugitive from the State of New Jersey. The record in the case at bar also establishes, by uncontradicted testimony before the Circuit Court of Cook County, that the conduct complained of in the New Jersey indictment, i.e. participating in a private placement for adoption, is legal in the State of Illinois. Indeed, private placement adoptions comprise approximately 15% of all adoptions in Cook County, Illinois. (Appendix B, p. B-14, Transcript, p. 20-21). To permit an Illinois resident to be extradited for conduct which was legal within the boundaries of his home state is a violation of that person's Fourth Amendment rights.

CONCLUSION

If petitioner in the case at bar is entitled to the protection of the Fourth Amendment before he can be extradited in a fugitive extradition case, *a fortiori* in a non-fugitive case. Unfortunately, the Illinois courts failed to apply the Fourth Amendment to the non-fugitive extradition warrant sought by the New Jersey authorities and further failed to recognize the distinction between fugitive and non-fugitive circumstances. As Mr. Justice Blackmun called for in his specially concurring opinion in *Michigan vs. Doran*, the state courts are in need of guidance on the proper accommodation between the Fourth Amendment and the Extradition Clause. To provide that guidance and also prevent a severe injustice and pretrial restraint from occurring to the petitioner in the case at bar, a writ of certiorari should be granted.

Respectfully submitted,

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APPENDIX A

Opinion filed May 18, 1979

No. 78-789

DONALD NEWMAN, Plaintiff-Appellant, v. **RICHARD J. ELROD, Sheriff of Cook County,** Defendant-Appellee.	**APPEAL FROM THE CIRCUIT COURT OF COOK COUNTY** **HONORABLE JAMES M. SCHREIER PRESIDING**

Mr. PRESIDING JUSTICE SULLIVAN delivered the opinion of the court:

Plaintiff, a licensed Illinois attorney, appeals from a judgment of the circuit court denying his petition for a writ of habeas corpus and directing his extradition to New Jersey. It is contended here that (1) the trial court improperly found him to be the party charged by New Jersey authorities; (2) the acts set forth in the New Jersey documents do not constitute a crime in Illinois, thereby precluding extradition under section 6 of the Uniform Criminal Extradition Act (Ill. Rev. Stat. 1977, ch. 60, par. 23) (the Act); and (3) neither the New Jersey documents nor the Illinois Governor's warrant indicate that the acts constituting the offense charged were done with the intent to commit a crime.

Our review of the record reveals that a Donald Newman was charged in New Jersey with several acts of conspiracy to violate that State's laws prohibiting the private placement of children for adoption. (N.J. Rev. Anno. Stat., §§ 2A:98-1, 2A:98-2 (West 1969).) The indictments alleged that Donald Newman on three specified occasions conspired with New Jersey residents, who were unindicted co-conspirators, to obtain

a recently born child for them. Arrangements were made by telephone, and the co-conspirators came to Chicago where in each instance they obtained a baby from Donald Newman and paid him several thousand dollars.

Plaintiff filed a verified petition for writ of habeas corpus in which he denied that he was the person sought by New Jersey authorities. At the hearing on the motion, no testimonial evidence was presented in this regard, but plaintiff did introduce photocopies of pages of a lawyers' directory and Chicago area telephone books, showing that there was another attorney named Donald Newman in the area as well as six Donald Newmans and three D. Newmans.

The extradition documents were the only evidence offered by the State, and it is plaintiff's position that they do not establish him to be the person sought because they merely refer to Donald Newman as the person sought. We note, however, that a rebuttable presumption of identity arises when the name on such papers is the same as the person seeking to avoid extradition. *(In re Extradition of Leonard* (1975), 27 Ill.App.3d 870, 327 N.E. 2d 480. Accord: *Torrey v. Williams* (Me. 1978), 388 A.2d 921; *Meek v. State* (1975), 262 Ind. 618, 321 N.E.2d 205; *State ex rel. Holmes v. Spice* (1975), 68 Wis. 2d 263, 229 N.W.2d 97; *Mora v. Larson* (Utah 1975), 540 P.2d 520; *Hithe v. Nelson* (1970), 172 Colo. 179, 471 P.2d 596.) This presumption would establish a prima facie validity to the issue of identity, and plaintiff would then have to show that he is not the person whose extradition is demanded *(People ex rel. James v. Lynch* (1959), 16 Ill. 2d 380, 158 N.E.2d 60, *cert. denied* (1959), 361 U.S. 864; *Nelson v. People* (1973), 11 Ill.App.3d 1092, 297 N.E.2d 172) and, as soon as such showing is made, the presumption vanishes entirely *(Osborne v. Osborne* (1927), 325 Ill. 229, 156 N.E.2d 306).

There is a variance as to the effect ascribed to a rebuttable presumption of identity of names when it is shown that other persons of the same name reside in the area (65 C.J.S., *Names,* sec. 15 (1966)); however, we believe that the general considerations adopted in this State regarding rebuttable presumptions

are applicable. As stated in *McElroy v. Force* (1967), 38 Ill.2d 528, 532-33, 232 N.E.2d 708, 710-11:

> "A rebuttable presumption, such as exists here, is not evidence in itself, but arises as a rule of law or legal conclusion from facts proved. [Citations.] These presumptions 'do not shift the burden of proof. Their only effect is to create the necessity of evidence to meet the *prima facie* case created thereby, and which, if no proof to the contrary is offered, will prevail.' [Citations.] Stated differently, the presence of a presumption in a case only has the effect of shifting to the party against whom it operates the burden of going forward and introducing evidence to meet the presumption. If evidence is introduced which is contrary to the presumption, the presumption will cease to operate. [Citations.] However, where there is an absence of evidence to the contrary, the *prima facie* case created under the presumption will support a finding. [Citation.]" Accord: *Diederich v. Walters* (1976), 65 Ill.2d 95, 357 N.E.2d 1128.

In the present case, although the charging documents were the only evidence offered indicating plaintiff to be the individual sought, he does not contest that the indentity of names in those documents raised the presumption that he was the person charged. He takes the position, however, that the presumption was met by his contrary evidence. We disagree.

Plaintiff's written denial in the petition for writ of habeas corpus that he was the person named in the extradition proceeding is insufficient to rebut the presumption. *(Peo. ex rel. Biggs v. Nash* (1937), 366 Ill. 186, 8 N.E.2d 359.) While plaintiff did introduce documentary evidence that another Donald Newman was practicing law in the area and that there were six listings of Donald Newman and three of D. Newman in the local telephone directories, we are of the belief that they lend little, if any, support to plaintiff's position that he was not the person sought. Those documents merely demonstrate that other individuals have the same name and, in the absence of any other evidence showing that plaintiff was not the person sought, we conclude that plaintiff's evidence did not contravene

the presumption raised by the identity of names that he was the person charged.

Plaintiff contends also that under section 6 of the Uniform Criminal Extradition Act (Act), the offense for which extradition is sought must be a crime in the asylum state. That section provides:

> "The Governor of this State may also surrender, on demand of the Executive Authority of any other state, any person in this State charged in such other state in the manner provided in Section 3 with committing an act in this State, or in a third state, *intentionally resulting in a crime in the state* whose Executive Authority is making the demand." Ill. Rev. Stat. 1977, ch. 60, par. 23. (Emphasis added.)

We view this section as pertaining to instances where the individual sought was not in the demanding state at the time the offense occurred. It differs from the extradition of a fugitive who is alleged to have committed a crime in the demanding state and then flees. The latter situation is governed by section 3 of the Act. (Ill. Rev. Stat. 1977, ch. 60, par. 20.)

Plaintiff posits that the aforesaid italicized language of section 6 of the Act should be construed as requiring that the crime charged in the demanding state be a criminal offense in the asylum state. In support of his position, plaintiff relies upon the counterpart statutory provisions of section 6 in New York (N.Y. [Criminal Procedure Law] § 570.16 (Consol. 1971)) and Rhode Island (R.I. Gen. Laws 1956, sec. 12-9-8 (1970)), which expressly provide that the offense for which extradition is sought must be punishable in those states as a criminal offense. A recitation of the history of the New York statute is contained in *People v. Hinton* (1976), 40 N.Y.2d 345, 386 N.Y.S.2d 703, 353 N.E.2d 617, where the court discussed the legislative development of the N.Y. counterpart of section 6 which had been modified to expressly provide that the offense for which extradition is sought by the demanding state must be a offense in New York. Also, the applicable Rhode Island provision specifically provides that extradition may be granted "when the acts for which extradition is sought would be punishable by the laws of

this state, if the consequences claimed to have resulted therefrom in the demanding state had taken effect in this state * * *." R.I. Gen. Laws, 1956, § 12-9-8 (1970).

In contrast to the statutory wording contained in the New York and Rhode Island provisions, section 6 of the Illinois Act contains no similar language. We consider section 6 to be plain and unambiguous, and thus it must be given its plain and ordinary meaning. (See *Christian Action Ministry v. Department of Local Governmental Affairs* (1978), 74 Ill.2d 51, 383 N.E.2d 958.) It is not the function of this court to inject provisions not found in the statute *(Droste v. Kerner* (1966), 34 Ill.2d 495, 504, 217 N.E.2d 73, *appeal dism'd* (1967), 385 U.S. 456, 17 L.Ed.2d 509, 87 S.Ct. 612, overruled on other grounds *Paepcke v. Public Bldg. Comm.* (1970), 46 Ill.2d 330, 263 N.E.2d 11), and we are thus led to the conclusion that the section 6 intentional conduct requirement cannot be reasonably interpreted to support plaintiff's argument that the conduct be an offense within the asylum state. Had the legislature intended otherwise, it would have been a simple matter to do so as evidenced by the statutory provisions of New York and Rhode Island.

Moreover, it was held in *People v. Schwartz* (1976), 64 Ill.2d 275, 356 N.E.2d 8. *cert. denied* (1977), 429 U.S. 1098, that while an attorney may render legal services to relinquishing or adopting parents, he or she must stop short of serving as an intermediary go-between or placing agent. Therefore, the charge in the indictment that plaintiff conspired with certain New York residents to obtain for them recently born children appears to sufficiently allege the commission of an offense under Illinois law.

We further reject plaintiff's suggestion that the trial court erred in refusing to consider whether plaintiff's conduct was intended to result in a crime elsewhere. Such consideration would be improper under section 3 of the Act (see *Michigan v. Doran* (1978), __ U.S. __, 58 L.Ed.2d 521, 99 S.Ct. 530), and similar arguments have been persuasively rejected in other jurisdictions under provisions comparable to section 6 of the Act

(see *McCullough v. Darr* (1976), 219 Kan. 477, 548 P.2d 1245; *Conrad v. McClearn* (1968), 166 Colo. 568, 445 P.2d 222).

Finally, plaintiff urges that the extradition documents introduced in the trial court are improper since neither the Illinois Governor's rendition warrant nor the New Jersey indictment and supporting documents charged that plaintiff *intentionally* committed a conspiratorial act that was a crime in the demanding state, as required by section 6 of the Act. Plaintiff relies on *People ex rel. Frye v. Woods* (1972), 51 Ill.2d 91, 280 N.E.2d 701, where extradition was sought under section 3 of the Act, which covers situations where the relator is charged with committing a crime in the demanding state and fleeing therefrom. In the consideration of plaintiff's petition for a writ of habeas corpus, it was shown that plaintiff was not in the demanding state when the alleged offenses were committed, and the trial court determined that the matter should be treated under section 6, which provides for extradition of a person not present in the demanding state at the time of the commission of the crime. On review, our supreme court concluded that the indictment from the demanding state "is the indispensable document which justifies the issuance of the rendition warrant" (51 Ill.2d at 95, 280 N.E.2d at 704) and, since it alleged plaintiff's presence in the demanding state, it did not support the warrant issued under section 3 of the Act by the Governor of Illinois. *Frye* does not expressly hold, as plaintiff suggests, that the indictment must clearly allege an intent to commit a crime in the demanding state; rather, *Frye* stands for the proposition that extradition proceedings must be formulated under the proper section of the Act and that when an indictment alleges plaintiff's presence in the demanding state, the relator could not be held on a warrant issued under section 3 of the Act unless the underlying papers, the requisition from the demanding state and the indictment, filed in conjunction therewith contained the information necessary to support extradition proceedings under section 6.

We find instructive the reasoning of the New York Court of Appeals in *Hinton,* where this issue was considered. There, the defendant alleged the felony complaint was defective because it did not allege the act was intentionally committed. The court

noted, however, that the Governor's demand for extradition alleged that defendant committed an act in New York intentionally resulting in an act in California. It then held that the New York statutory requirement is satisfied "[i]f the Governor's demand and accompanying affidavits show that the defendant committed an act in New York intentionally resulting in a crime in the demanding State * * *." 40 N.Y. 2d at 352.

In the present case, the demand of the Governor of New Jersey stated that plaintiff's conduct intentionally resulted in the commission of a crime. Similarly, the New Jersey indictment alleged that plaintiff had conspired to violate the child adoption laws of that jurisdiction and set forth the overt acts relative to these charges. In New Jersey, it would appear that the crime of conspiracy is complete once the conspirators have formed the intent to commit a crime and taken a step in its preparation. (*State v. Moretti* (1968), 52 N.J. 182, 244 A.2d 499, *cert. denied* (1968), 393 U.S. 952.) Since the conduct set forth in the indictment requires proof of such intent, we believe that its allegations, in addition to the Governor's demand asserting plaintiff's conduct was intentional, satisfies the requirements of section 6. This holding is in accord with the rule that the sufficiency of the indictment is to be tested in the demanding state, and not in the asylum state. *People ex rel. Halley v. Willis* (1970), 46 Ill.2d 29, 262 N.E.2d 480.

Similarly, plaintiff's final assertion is that the rendition warrant issued by the Governor of Illinois is defective because it did not allege that plaintiff's conduct was intentional. He cites no authority in support of this position, and we note that the warrant need only "substantially recite the facts necessary to the validity of its issuance." (Ill. Rev. Stat. 1977, ch. 60, par. 24.) For the reasons set forth above, we believe that intentional conduct was sufficiently asserted.

We conclude the circuit court's denial of plaintiff's petition for writ of habeas corpus was proper and, accordingly, its judgment is affirmed.

Affirmed.

LORENZ and WILSON, JJ., concur.

Page of Record

APPENDIX B

Excerpts from Trial Court Record

3 **Petition for writ of Habeas Corpus, filed October 25, 1977, omitting caption and signature:**

PETITION FOR WRIT OF HABEAS CORPUS

Now comes your Petitioner, DONALD NEWMAN, by CUMMINS, DECKER & WEBB, his attorneys, and respectfully represents to this Honorable Court that the said Relator is in the custody of the Respondent, RICHARD J. ELROD, Sheriff of Cook County, Illinois, and the cause of the arrest and detention is a supposed warrant, issued by the Governor of the State of Illinois.

Your Petitioner represents that the said Relator is entitled to a hearing to test the legality of the said arrest and detention pursuant to Chapter 60, Section 27, Illinois Revised Statutes, as amended. In support of said request for a hearing, your Petitioner states as follows:

1. That the said Relator was indicted in Counts I, II and III of Indictment No. S-77-386 of the Superior Court of New Jersey, Bergen County, and was charged in all of said Counts with having committed the crime of conspiracy in the State of New Jersey from (Count I) December 1, 1971, to April 30, 1972; (Count II) from July 1, 1975, to August 1, 1975; and (Count III) from June 1, 1976 to August 31, 1976.

2. That the "overt acts" which are recited in each as an integral and essential part of each said Counts allege that all the acts of the said Relator took place outside of the State of New Jersey, and there is no "overt act" set forth
4 as part of the indictment to support the contention that said Relator was ever within the State of New Jersey during the times during which the alleged crime of conspiracy had been committed so as to constitute a basis for the allegation and charge that the said Relator has committed the offense of conspiracy within the State of New Jersey.

3. That said Relator was not physically within the State of New Jersey during the time alleged in the indictment, to wit, December 1, 1971, through August 31, 1976.

4. That although requisition from the Governor of the State of New Jersey alleges that the said Relator committed an act in the State of Illinois intentionally resulting in the crime of conspiracy, said Relator is charged in the indictment with having committed the crime of conspiracy in the State of New Jersey, not in the State of Illinois.

5 That there are no acts alleged in the indictment that give support to the conclusion that the said Relator has conspired with anyone to violate the laws of the State of New Jersey.

6. That the acts of said Relator alleged to have taken place in the State of Illinois do not constitute a crime in the State of Illinois or in the State of New Jersey.

7. That there are no facts alleged in the said indictment under which said Relator is charged to justify the charge of conspiracy in either the State of New Jersey or the State of Illinois.

8. That said Relator is not detained by virtue of any process, judgment, decree of execution specified in Chapter 65, Section 21, Illinois Revised Statutes, as amended.

9. That your Petitioner affirmatively states that any acts alleged to have been committed by him were not committed intentionally resulting in a crime in the State of New Jersey.

10. That said Relator denies he is the same Donald
5 Newman referred to in the indictment, requisition and supposed warrant issued by the Governor of the State of Illinois.

11. That the supporting documents are not in proper order.

WHEREFORE, your Petitioner, DONALD NEWMAN, by CUMMINS, DECKER & WEBB, his attorneys, prays that a Writ of Habeas Corpus issue

directed to the Sheriff of Cook County, Illinois, so that said Relator may be forthwith brought before this Honorable Court and that upon the return of the Writ a date certain may be fixed for a hearing to the end that the legality of the said arrest and detention may be examined and determined.

1977-1978 Sullivan's Law Directory (P. 233)

Exhibit P1

IN CLARK MRS. Prof Northwestern University
iw 357 E Chicago Av 11 Rm 259 649-8535 26

r, LOUIS C. 10 S La Salle St 03 Rm 1502 FR 2-
S
OWARD S. 4345 W Parker Av 39 235-5948 S
RENCE F. Layfer Cohen Handelsman & Mora
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NICKOLAS J. 1660 N La Salle St 14 Rm 2911
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THOMAS H. Jacobs Williams & Montgomery
acker Dr 06 Rm 3500 443-3223 47 74 CSA
ELEN M. Berndtson & Neuffer 111 W Wash-
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LIAMS ANDERSON & OLSON 77 W Washington
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onald A. Peterson, William J. Birmingham,
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inaugh, Harry J. Roper, Michael O. Wamecke,
lliams, William M. Wesley, Aaron Passman, J.
aheey, Ronald E. Myrick, Charles W. Grimes,
Olson, III, Michael D. McCoy, Kenneth R.
nes R. Henes, Allan J. Sternstein
—Arthur B. Seibold, Jr.
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ton St 02 Rm 2000 346-1200 CAP
ALAN E. Asst Csl Administration & Develop-
n Chgo Transit Auth Merchandise Mart Plaza
19 MO 4-7200 43 77 CSA
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0 726-7760 CSA
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ars Tower 06 876-8113 43 68 CLSA
ERT. Greenberger Krauss & Jacobs Chtd 180
St 01 Rm 2700 346-1300 47 77 S
ICTOR Neumark & Bonner Ltd 33 N Dearborn St
4 FR 2-7900 CSA
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Monroe St 03 Rm 4100 346-7400 40 66 CL
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86 73 S
, J. MICHAEL 230 W Lake St 06 372-8110 CSA
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ELLEN CLAIRE Winston & Strawn One First
03 50th fl 786-7304

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NEWMAN, LEONARD E. 134 N La Salle St 02 Rm 1304 RA 6-6557 32 56 CS
NEWMAN, MARGO R. Atty 13th Region Natl Labor Relations Board 219 S Dearborn St 04 Rm 881 353-9163
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Associate—Scott H. Sanger, Jeffrey Kuta, Michael Bonn
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Newell Chas G 1748 N Monticello Av --- 235-8130
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Newell Claude 1621 W 56th ------ 737-3878
Newell Creston O 1507 W Addsn ------ 525-1426
Newell Delores A 340 S Westrn Av --- 829-5492
Newell Dewy 1650 S Kenmsky Av ---- 521-5639
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Newell Dorothy 6812 Ridgnd Av ----- 752-7596
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7035 S Parnell Av ------ 846-5634
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2136 N Damen Av ------ 342-6628
Newell G R 1330 N State ------ 944-2900
Newell Gerald 7427 S South Shore Dr - 221-5683
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Newell Helen Mrs 6336 N Lakewd Av - 761-0211
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Newell John 7229 S Christiana Av ---- 471-0467
Newell John 1319 W 72nd ------ 874-0392
Newell John M atty 77 W Washngtn -- 782-2146
Newell June A 715 E 32nd ------ 791-0044
Newell L 635 W Grace ------ 248-8158
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Newell Linda 9129 S Carpntr ------ 285-7945
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Newell M 6253 N Sheridn Rd ------ 465-9043
Newell Mae 661 E 69th ------ 752-8552
Newell Mary F 650 E 79th ------ 874-6815
Newell Michael 1302 N Pulaski Rd ---- 252-7690
Newell Milton 1804 W 13th ------ 243-4480
Newell Nelson 3030 W 21st Pl ------ 762-0314
Newell P 2444 N Laramie Av ------ 622-1258
Newell Patricia 1451 S Karlov Av ---- 277-9442
Newell Patsy 911 N Sedgwick ------ 266-7021
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Newell Robt 2641 W 12th Pl ------ 277-9730
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Newer David R 2061 W Farwl Av ----- 262-5447
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Atty 11 S La Sal ------ 346-7555
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Newfield J 3520 N Pine Grv Av ------ 528-1114
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Arlington Heights-Chicago Tel No- 569-3570
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contrs 509 W Algonqn Rd Arl Hts
------- Elk Grove Village Tel No- 640-8900
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Newgren Adolph 2707 W 65th ------ 434-3742
Newgren Elmer
7616 S Marquette Av ------ 721-3722
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Newhall E 59 E Cedar ------ 751-0812
Newhall Jack 1608 W Sherwn Av ------ 262-5917
Newhall Redondo E Jr
2206 W 110th Pl ------ 233-6154
Newhauser P J 503 N Lake Shore Dr -- 644-4464
Newhet's Dry Cleaning
1420 W Irving Pk Rd ------ 525-7026
Newhall Magnet Co 63 E Harlem ------ 427-8260
Newhaim D 5220 N Rockwl ------ 334-8123
Newhaim Gilbert A 1604 W Farwl Av - 338-2919
Newhaim Selma 5447 N Clark ------ 728-0973
Newhope In Christ Holiness Baptist
Church 6716 S Halsted ------ 651-5056

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510 W Belmnt Av ------ 528-7944
Newhouse Audit Surveys
4247 W Divsn ------ 252-6680
Newhouse Dotty 2 E Oak ------ 787-3453
Newhouse Newspapers 221 N La Sal -- 641-6242
Newhouse Norma Mrs
5420 N Sheridn Rd ------ 728-9059
Newhouse Richard Jr
5533 S Cornl Av ------ 667-5934
Newhouse Richard H hwyr
180 N La Sal ------ 263-2664
Newhouse Richard H Senator
1900 E 71st ------ 643-4500
Newitt Geo B pat hwyr
125 S Wacker Dr ------ 372-2160
Newitt V G 1130 N Dearbrn ------ 751-0455
Newkirk Addie 1116 S Indpndnc Bl --- 533-2810
Newkirk B J 1455 N Sandbrg Ter ----- 649-6556
Newkirk Cloola 4007 W Ogden Av ---- 521-4389
Newkirk Elizabeth 215 E Chgo Av ---- 944-0536
Newkirk Eloise P 6426 N Troy ------ 274-4790
Newkirk Geo J 3442 N Hamltn ------ 472-5841
Newkirk John M & Co
120 E Ogden Av Hinsdl ------ 325-4018
Newkirk Jos 7807 S Champin Av ---- 723-5627
Newkirk Mitchell J 4004 S Rockwl ---- 254-9331
Newkirk R 4410 S State ------ 538-5661
Newkirk Rosa P 8404 S Sealey Av ---- 233-5341
Newkirk Tyrone 8410 S Honore ------ 239-7277
Newland Barber Shop
2611 N Newnd Av ------ 622-0798
Newland Clars & Dyers
2409 N Newnd Av ------ 889-7676
Newlands Geo J 4848 N Lowell Av ---- 545-3971
Newlin C A 429 W Belden Av ------ 528-3756
Newlin Espy 5225 N Kenmr Av ------ 561-6143
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NEWLY WEDS FOODS INC
4140 W Fulrtn Av ------ 489-7000

NEWMAN--- See Also Neuman,Neumann,Neumann
Newman A 3600 N Lake Shore Dr ------ 525-0792
Newman A 535 N Mich Av ------ 321-9045
Newman A 1633 E 86th Pl ------ 978-1545
Newman A Marcy hwyr 180 N La Sal -- 782-9737
Newman A W 3410 N Lake Shore Dr -- 281-8978
Newman Aaron 1912 W Hood Av ----- 764-5606
Newman Abe 400 E Randlph ------ 467-0013
Newman Abraham
2630 W Berwyn Av ------ 561-3030
Newman Acy 3124 W 16th ------ 521-2576
Newman Albert 9221 S Bennett Av -- 734-0456
Newman Albert E 9101 S Westrn Av - 445-6300
If No Answer Call ------ 734-0456
Newman Albert H
179 E Lake Shore Dr ------ 944-4041
Newman Alberta
4119 W West End Av ------ 533-3998
Newman Alex 833 W Buena Av ------ 472-7349
Newman Alex 2703 W Estes Av ------ 338-3078
Newman Alexander 180 E Pearsn ----- 266-1939
Newman Allan A optmtrst
2218 S Mich Av ------ 842-2082
Newman Allan J 2712 W Farwl Av ---- 274-9295
Newman Allan J 6418 N Talman Av --- 743-2736
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Newman Anita 1839 N Orleans ------ 266-0195
Newman Ann 10124 S Avenue M ----- 768-3847
Newman Annie 1121 N Larabe ------ 943-0265
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Newman Armatine 1564 E 62nd ----- 324-1644
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Newman Arthur 6301 N Sheridn Rd --- 262-5772
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7465 S South Shore Dr ------ 734-7530
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Newman August H 3943 S Rockwl ---- 523-7378
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4338 W West End Av ------ 378-2822
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Newman Ben 2310 W Grenvl Av ------ 262-2687
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175 W Jackson Bl ------ 427-6001
Newman Ben F 6300 N Sheridn Rd ---- 262-1873
Newman Ben H shoes
744 W North Av ------ 664-2732
Res 6542 N Francisco Av ------ 973-6749
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Newman Bess 2952 W Estes Av ------ 761-5191
Newman Bradford A
1608 W Berwyn Av ------ 334-8040
Newman Brenda
6212 S Dr Martn Luthr King Jr Dr -- 363-2383
Newman Brenda M
6357 S Talman Av ------ 925-4718
Newman Bruce L 6fc 208 S La Sal ---- 372-3356
Newman C 6500 N Claremnt Av ------ 764-6944
Newman C A
2322 N Commonwealth Av ------ 472-3203
Newman C D hwyr 120 S La Sal ------ 726-2122
Newman C E 3931 N Harmitg Av ----- 784-2077
Newman C E 6344 S Kilpatrk Av ------ 767-1250
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Newman Chas E 5951 N Odell Av ----- 774-3656
Newman Chas K 10539 S Avenue L --- 731-5231
Newman Chas N 2034 N Keeler Av ---- 252-4836
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6203 S Menard Av ------ 585-8342
Newman Clinton A
4058 W Van Buren ------ 722-6217
Newman Courtland Jr
2100 N Lincln Pk West ------ 525-1420
Newman Cynthia 7105 S Stewrt Av -- 874-5595
Newman D 8400 W Summerdale Av --- 693-6516
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Newman Dani C MD 2073 N Lincln Av - 929-6719
Newman Danny ofc 20 N Wacker Dr -- 372-6252
Res 3270 N Lake Shore Dr ------ 327-2916
Newman David 7537 S Evans Av ----- 651-5690
Newman David 1736 W Pratt Av ----- 761-8743
Newman David 220 W 95th ------ 568-3676
Newman David C 180 N La Sal ------ 641-6888
Newman David E broker
141 W Jackson Bl ------ 939-2050
1700 E 56th ------ 955-5377
Newman David E & Company brokrs
141 W Jackson Bl ------ 939-2050
Newman Dennis J 3508 W 66th ------ 436-8027
If No Answer ------ 422-3574
Newman Dennis N 237 E Delawr Pl ---- 664-3829
Newman Dennis N hwyr Sears Tower -- 876-8179
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Res 260 E Chestnut ------ 787-9195
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Newman Edw P 400 E Randlph ------ 861-1254
Newman Edwyna L
9221 S Bennett Av ------ 768-3697
Newman Edwyna L
9221 S Bennett Av ------ 768-9022
Newman Elsie A 6748 N Ashlnd Av --- 465-3601
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180 N Wabash Av ------ 332-7100
Newman Emmet J Studio
180 N Wabash Av ------ 332-7100
Res 3150 N Lake Shore Dr ------ 935-9279
Newman Eric H 5848 S Spaulding Av -- 925-9354
Newman Esau
4925 S Dr Martn Luthr King Jr Dr -- 268-1215
Newman Estelle 40 E Oak ------ 664-3641
Newman Faye 10 S Mason Av ------ 379-4057
Newman Frank G 1917 N Sawyer Av -- 772-1541
Newman Fred 3600 N Lake Shore Dr -- 525-0791
Newman Fredk 630 W 47th ------ 548-6748
Newman G J 4805 N Wolct Av ------ 275-5284
Newman G M 2612 W Montrs Av ----- 463-5109
Newman Gale R 653 W Irving Pk Rd --- 525-4720
Newman Geo 4757 N Milwke Av ------ 282-0558
Newman Geo L 777 N Mich Av ------ 787-2278
Newman Geo W 9041 S Dante Av ----- 731-8849
Newman Gerald M hwyr
222 S Rivrsd Plz ------ 648-1600
Newman Gordon R 5349 S Newnd Av - 586-2084
Newman Grain 141 W Jackson Bl ------ 427-0155
NEWMAN-GREEN INC
57 Interstate Rd Addison ------ 543-6500
NEWMAN-GREEN INC
151 W Interstate Rd
Addison ---------Chicago Tel No- 626-2158
Newman Gregory 2970 N Sheridn Rd -- 935-8355
Newman Gustaf
1801 N Lincln Pk West ------ 664-1831
Newman H 3172 N Sheridn Rd ------ 472-8680
Newman H 5400 N Sheridn Rd ------ 275-6252
NEWMAN HARDWARE PAINT & LINOLEUM CO
3622 W Chgo Av ------ 384-8807
3622 W Chicago Av ------ 384-8850
Newman Harry 2429 W Faragt Av ---- 784-0511
Newman Harry 5705 S Wabash Av ---- 667-6176
Newman Harry E broker 120 S La Sal - 346-2680
Newman Helen 5668-1/2 N Ridge Av - 784-7773
Newman Henry 1321 W Birchwd Av -- 764-0188
Newman Henry 7141 N Kedzie Av ---- 274-8885
Newman Hunter 3236 S Leavit ------ 254-5330
Newman I 1560 N Sandbrg Ter ------ 664-4766
Newman I E 6360 S Greenwd Av ----- 752-7699
Newman Industrial Machinery Service
4131 S State ------ 548-4131
Newman J 5339 N Winthrp Av ------ 561-4986
Newman J C 350 W Oakdl Av ------ 248-1672
Newman J F 953 E Hyde Pk Bl ------ 288-6982
Newman Jack 4109 N Naragnst Av ---- 685-0384
Newman Jack 8393 S Sangamn ------ 846-9762
Newman Jack D 7538 N Oakley Av ---- 465-1531
Newman Jack Y 5455 N Sheridn Rd --- 334-5668
Newman Jas 9013 S Morgan ------ 238-2788
Newman Jas 3124 W 16th ------ 522-7269
Newman Jas H 6417 S Drexel Av ----- 493-3803

Newman Jas H 1020 N Massasit Av --- 626-5142
Newman Janice 13240 S Avenue P --- 646-4791
Newman Jean
6430 S Stony Island Av ------ 643-0259
Newman Jeffrey 320 W Weingtn Av -- 472-6349
Newman Jennie A 9106 S Mich Av ---- 264-7720
Newman Joan R 5125 S Dorchstr Av - 752-8269
Newman John 3043 W Cornlia Av ----- 583-7509
Newman John 2454 W Moffat ------ 252-0156
Newman John 9202 S Perry Av ------ 928-0568
Newman John C ofc 2436 W 15th ---- 421-2929
Newman John F 4391 N Elston Av ---- 282-0494
Newman John F 9905 S Escnabe Av -- 375-9727
Newman John F Jr 4517 N Lowell Av - 736-3036
Newman John H broker 208 S La Sal --- 782-0400
Newman John N 9550 S Union Av ---- 445-2389
Newman John W 9947 S Artsian Av -- 779-4208
Newman Jos 6550 S Knox Av ------ 767-5492
Newman Jos D 9214 S Avalon Av ---- 978-3682
Newman Jos F first 1313 W Randlph -- 421-0200
Newman Jos L 2601 W Catalpa Av ---- 271-3681
Newman Jules 505 N Lake Shore Dr - 644-7717
Newman Julian M 100 E Belvu Pl ------ 787-7667
Newman Justin 6301 N Sheridn Rd ---- 338-6253
Newman K 723 S Loomis ------ 666-6894
Newman Katherine 6642 S Mich Av -- 994-0983
Newman Kenneth 1526 E 59th ------ 955-4653
Newman Kenneth MD 180 N Mich Av - 263-6172
Newman-Krause Co electrl eqpmt
5451 W Lawrnc Av ------ 736-6800
Newman L 5431 N East Rvr Rd ------ 693-8784
Newman L A
2322 N Commonwealth Av ------ 472-3203
Newman L H 510 W Belmnt Av ------ 935-4876
Newman L H 1960 N Lincln Pk West -- 348-8639
Newman L R 5905 N Kilbrn Av ------ 736-7202
Newman Larry D 4841 W Adams ------ 287-0910
Newman Larry M
2429 W Greenvle Av ------ 465-0306
Newman Lawrence 4708 N Racine Av - 561-3127
Newman Lee 1016 W Holywd Av ------ 334-4089
Newman Leonard 6318 N Bell Av ------ 338-4637
Newman Leonard 521 E 60th ------ 752-2914
Newman Leonard E hwyr 134 N La Sal - 726-6557
Newman Leora 3554 S Wells ------ 538-2554
Newman Light & Lichtenstein
29 S La Sal ------ 641-6693
Newman Lillian 1419 W Sumrdl Av --- 561-6638
Newman Lois 8031 S Rhodes Av ------ 488-8550
Newman Loren 2115 N Sedgwck ------ 871-5497
Newman Louis 510 W Belmnt Av ------ 477-8195
Newman Louis 6527 N Richmnd ------ 262-9160
Newman Louis Mrs
3600 N Lake Shore Dr ------ 549-6994
Newman Louis B Dr 400 E Randlph --- 527-1336
Newman Louise 3022 W Cutrtn ------ 762-3460
Newman Loyd 4838 S Drexel Av ------ 373-3966
Newman Luke C
4609 S Leamngtn Av ------ 767-4128
Newman Lynn
3715 S Dr Martn Luthr King Jr Dr -- 624-7007
Newman Lynn D 4526 S Drexel Av ---- 538-3432
Newman M 2135 W Highind Av ------ 465-2512
Newman M 5450 S Kedzie Av ------ 737-2321
Newman M B 6057 N Calif Av ------ 338-8494
Newman M G 155 N Harbor Dr ------ 642-0092
Newman M K 4147 N Monitr Av ------ 282-6973
Newman M Saul
8550 W Bryn Mawr Av ------ 693-4190
Newman Mabel 4609 S Leamngtn Av - 767-4125
Newman Machry Co 3601 S Iron ------ 927-3645
Newman Management Services Inc
3136 N Austin Av ------ 622-1142
Newman Margaret 2927 W Estes Av - 274-5211
Newman Margo 3648 N Pine Grv Av -- 472-0580
Newman Maricia H 2231 E 67th ------ 324-6891
Newman Marie 6350 S Laarte Av ---- 582-1269
Newman Mark 1660 N La Sal ------ 787-2942
Newman Mary 4030 W Carrol Av ---- 638-1816
Newman Mary 1810 S Drake Av ------ 762-8977
Newman Mary A 2101 N Cliftn Av ---- 549-1743
Newman Mary A 4839 W Potomc Av - 261-8414
Newman Mary Alice
1144 N Lawler Av ------ 921-5114
Newman Mary Ann 5127 S Wolct Av - 434-3688
Newman Mattie B 5357 S Princtn Av - 924-6957
Newman Maureen A 4730 W Grace --- 283-6672
Newman Melvin CPA 222 S Rivrsd Plz - 648-1211
8836 Kenneth Av Skokie ------ 677-8928
Newman Melvin S hwyr
222 S Rivrsd Plz ------ 648-1600
Newman Michael J
1225 W Loyola Av ------ 338-5966
Newman Miles M 832 N Marshfld Av -- 421-2860
Newman Naomi 11740 S Bishop ------ 928-6836
Newman Nathan S 2317 W Grenvl Av - 274-5329
Newman Nathl 5108 W Iowa ------ 378-7246
Newman Norman B hwyr 1 N La Sal --- 782-3970
Newman Norman H 454 W Belmnt Av - 935-1405
Newman Norman H DDS
55 E Washngtn ------ 346-0710
Newman Norton E 13240 S Avenue P - 646-1210
Newman Office Machine Co
5815 W Belmnt Av ------ 889-1477
Newman Olivia 354 E 56th ------ 667-6661
Newman Olivia G 5234 S Drexel Av --- 684-2428
Newman P 6400 N Sheridn Rd ------ 338-2062
Newman Paul E 1728 N St Louis Av --- 772-9022
Newman Peter 2939 N Sennary Av --- 871-5240
Newman Peter S 3432 W 115th Pl --- 445-3687
NEWMAN PHARMACY
15 S Wabash Av ------ 263-6282
Newman Pharmacy 3458 W 111th --- 779-3155
Newman R 7141 N Keddzie Av ------ 274-8885
Newman R 720 W Gordon Ter Ter ---- 935-9839
Newman R F 5815 N Sheridn Rd ------ 561-8863
Newman R M 5445 N Sheridn Rd ------ 561-7262

Newman R Machinery
705 N Princeton
Villa Park ------
Newman Ralph D
3423 N Newcastle
Newman Ralph F 29
Newman Ralph F Jr
5218 W Carmen
Newman Ralph Geof
18 E Chestnut --
Newman Ralph Geof
175 E Delawr Pl
Newman Ralph Gust
7405 N Damen A
Newman Ray L 282
Newman Rhea Mrs
Newman Richard o
Newman Richard o
Newman Richard C
100 E Belvu Pl --
Res 100 E Belvu P
Newman Richard I
3136 N Austin A
Newman Richard T
Newman Rita Mrs
Newman Robt o70
Newman Robt C 1
Newman Robt T 2
Newman Robt W 4
Newman Robt W a
Newman Roy Lee 1
Newman S 535 N M
Newman Sally F of
Newman Saml & C
6349 N Westrn
Newman Saml 515
Newman Saml o51
Newman Saml Rev
5329 N St Lou
Newman Saml A R
Newman Saml J 5
Newman Schuman
120 S La Sal -
Newman Sharon 1
Newman Sheldon
Newman Shirley A
Newman Shoe Sto
Newman Sidney
6229 N Maple
Newman Sidney T
5 S Wabash A
Res 6426 N Rich
Newman Sig 617
Newman Sigman
Newman Sol 592
Newman Sol J 62
Newman Sol K 1
Newman Stanl &
180 N La Sal
Newman Stanley
Newman Steven
2650 N Lake
Newman Surgical
15 S Wabash
Newman T M 75
Newman Tallow
Div Groak En
Newman Ted 63
Newman Terry E
Newman Theo 30
Newman Therese
Newman Thos 10
Newman Thos H
Newman Tillie Mr
Newman Tobey T
Newman Vera 9
Newman Victor
2455 W Bryn
Newman Vincent
Newman Vinnie
Newman Wade D
Newman Walter
Newman Walter
Newman Walter
3926 N New
Newman Wesley
5153 W Wes
Newman Wm 20
Newman Wm 52
Newman Wm ag
4732 S Dorc
Newman Wm B
Newman Wm H
5540 W Wi
Newman Wm K
5519 S Univ
Newman Wm L
Newman Wm L
Newman Wm M
05035 Chic
Newman Wm M
Newman Wm U
Newman Willie
Newman Wilson
Newman Wins A
3525 W Pet
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Newmann Bern
Newmann Carl
One First Na
Newmann Co C
8223 Harle
Oak Lawn
Newmann H L

029

Newbould Richard A
669 LakesdCir Dr Wheeling-398-
Newby A Wesley
580 OldBarn Rd LkBaringtn-381-7
Newby Dan W 320 Richards Palatin---358-
Teen's Teleph 320 Richards Palatin---358-
Newby Geo H
506 Devonshire HofmnEsts-884-9
Newby J L 1233 Fairwd Ct Elgn------741-
Newby R H res 652 Page Elgn--------742-
Newby Robt L 259 S Westn Elgn----741-
Newby Robt Todd
1312 Wauchope Dr Elgn-741-
Newby Terry 831 Bode Rd Elgn-------695-
Newby's Custom Siding Co
1312 Wauchope Dr Elgn-697-
Newcomb Gordon M
1052 Conrad Ct ElkGrvVlg-894-
Newcomb Jas F 300 Crestwd Dr Rosel-894-
Newcomb John E
104 W Streamwd Bl Streamwd 837-
Newcomb John L 163 MaureenDr Elgn-742-
Newcomb K
104 W Streamwd Bl Streamwd-837-
Newcomb Louis A
119 N ProspectManor MtPrspct-CL 5-
Newcomb Michael L
2017 Farnhm Ct Schmbrg-885-
Newcombe Harold E
255 FoxHunt Trail Baringtn-381-
Newcombe W R Jr 1336 Larchmnt Dr
BufloGrv-HalfDayTelNo 634-
Newcomer B 75 N Lyle Elgn---------741-
Newcomer Carl L
522 Plymth Ln Schmbrg-894-
Newcomer David 671 Jay Elgn-------695-
Newcomer Kenneth E 421 Oak Elgn---SH 1-
Newcomer Kenneth Eugene
503 S Plymth Schmbrg-529-
Newcomer Marvin S 657 Keep Elgn----742-
Newell Arthur L
714 Bonded Pkwy Streamwd-------289-
If no answer----------Chgo-782-
Newell Clinton 1331 Dundee Av Elgn---742-
Newell E 915 Countrysd Palatin------991-
Newell Edw E Jr Beech St Waconda--JA 6-
Newell Frank W Jr
220 S Roselle Rd Schmbrg-893-
Newell G Richard
21 Kristin Dr Schmbrg-882-
Newell Gerald P
959 Northwy Ct HanovrPk-289-
Newell Geralyn
563 E Seegers Rd ArlHts-956-
Newell Henry G 6990Church HanovrPk-289-
Newell Herbert W 549 W Euclid ArlHts-259-
Newell Huion 1225f Spruce Ln Elgn---695-
Newell Jack E
1108 N PlumGrv Rd Schmbrg-882-
Newell K J 1209 Mallrd Dr Elgn------697-
Newell Kirk G 1209 Mallard Dr Elgn---697-
Newell M 1503 N Windsor ArlHts-----253-
Newell Roger A
230 Ridgewd Ct LkZurich-438-
Newell Ronald H C
1640 Beverly Ct HanovrPk-837-
Newgard Henry&Co
Contrs 501 W Algonquin
ArlHts-ElkGrvVlgTelNo 640-
Newgard J Richard
19 N Reutr Av ArlHts-253-
Newgard J Robt
1471 Greenbriar MtPrspct-437-
Newgard Jas H
W CountyLine Rd BaringtnHils-382-
Newgent Chas M 209KimberlyBaringtn-381-
Newhall David W
527 Shadywd ElkGrvVlg-437-
Newhard Edmund
1107 S Wilke Rd ArlHts-394-
Newhart Geo 205 W Miner ArlHts-----392-
Newhouse J N
2116 Morningsd Cir Carpntrsvl-426-
Newhouse Jean
135 N Washngtn Carpntrsvl-428-
Newhouse K M
2165 Paysn Cir GlendlHts-893-
Newhouse Leo P 407 Dale MtPrspct---CL 3-
Newhouse Thos K
7486 Jensen Bl HanorPk-289-
Newingham Wilson D 116 W Elm Rosel-894-
Newkirk John W 414 Valley ArlHts-----398-
Newkirk Ron 300 S Roselle Rd Schmbrg-893-
NEWKO TOOL & ENGNRNG INC
313 W Colfx Palatin-359-
Newland M K
350 W Schaumbrg Rd Schmbrg-884-
Newland Raymond R
1211 Crabtree ArlHts-392-
Newland Raymond R OD
619 W North Av VilPk-279-
Newlander Joel
506 Hinghm Ln Schmbrg-893-
Newlin I B 629 Divsn Baringtn-------DU 1-

Newlin J Douglas 2222 Goebert ArlHts-437-4438
Newlin Jack R Welind Rd
PrarIVw-WheelngTelNo 541-0706
Newlin Michael
5b DundeeQuartr Palatin-359-3803
Newlin R W 5 VillaVerde Dr BufloGrv--398-6277
Newlin Russell
1512 Cantrbury Ct ArlHts-255-7086
Newlin Stanley D
717AreaDr McHnry-CaryTelNo 312 639-6760
NEWMAN—also see NEUMAN, NEUMANN
Newman A Marcy
Lwyr 180 N LaSalle Chgo---------782-9737
Newman Alan J 238 Tilbury Wheeling--541-7475
Newman Albert H Jr 2003 Cayuga Ln MtPrspct
DesPlTelNo 296-4361
Newman Auto Parts
594 N LaFox SElgn-SH 1-0282
Newman Bernard I MD
670 W Centrl Rd ArlHts----------259-3319
555 Wilsn Ln DesPl----------827-8811
Newman Bruce J 24 Lynch Elgn------741-0064
Newman Bruce W
5d HigginsQtr HofmnEsts-882-1104
Newman C L 216 Moseley Elgn------SH 2-5975
Newman C P 250 WoodbinePl Baringtn-381-3796
Newman Chas L
2404 Kirchoff RolngMdws-CL 5-1246
Newman Chas L 913 Beverly Wheeling--537-5821
Newman Chuck
2130 Hassell Rd HofmnEsts-882-3465
Newman Dani A
818 Monroe Av Carpntrsvl-426-8070
Newman Dani A
1229 Klein Dr Streamwd-289-2527
Newman Davis R 924 Oxfd Ct Palatin--359-5181
Newman Donald J
Gifts 200 N Garfld Baringtn-------DU 1-3202
res 416 Park Ln Baringtn---------DU 1-2558
Newman Ferris E
460 N Main Wauconda-526-7260
Newman Frank
1427 N ValleyLk Dr Schmbrg-882-1746
Newman Gerald Crescent Dr WDundee-426-7575
Newman Helen 4817Roberts OakwdHils-639-3101
Newman Henry G 1102LelaCt Schmbrg-894-7398
Newman Irwin E 3705 Deerfld Rd
Rivrwds-WheelingTelNo 537-0582
Newman J 20 S Worth Elgn---------695-5584
Newman J 1220 Cambia Dr Schmbrg---893-2194
Newman Jack
1439 Hodlmair Ln ElkGrvVlg 893-7644
Newman Jas F 103 WWillow PrspctHts-394-1497
Newman Jay B
1430 Freeman Bl HofmnEsts-991-1599
Newman John 202 North ShoreRd Elgn-695-3771
Newman John E Jr 720 Lake Wauconda-526-6064
Newman John H
1500 SevenPines Rd Schmbrg-893-7295
Newman John J 2706 Olwin Elgn-----741-3606
Newman K J 343 Ryersn Av Elgn-----695-8850
Newman Kevin L
1427 N ValleyLk Dr Schmbrg-884-1510
Newman Lawrence A
303 Opatrny FoxRvrGrv-ME 9-4481
Newman Lawrence R
304 Hamstead Ct Rosel-893-5720
Newman Lois 38 PioneerPk Pl Elgn----695-0379
Newman M 282 Douglas Av Elgn------697-7874
Newman M 924 Oxfd Ct Palatin------991-0605
Newman M L 352 E Chgo Elgn-------741-5669
Newman Martha 528 Adams Elgn-----741-0694
Newman Norman
1123 Randvl Dr Palatin-358-9185
Newman Norman A
116 Shenandoah Ln LongGrv-438-2049
Newman Oil Co
365 N Woodbury SElgn-SH 1-0282
Newman Olga 29 N Melrose Av Elgn---SH 1-4874
Newman Paul&Weprin Steven M ODS
15 S Wilke ArlHts-255-4475
Newman Philip H
1975 Kenilwrth Cir HofmnEsts-882-4828
Newman Reuben 477 W Spring SElgn--742-6400
Newman Richard J
2120 S Goebert ArlHts-437-6841
Newman Robt A
616 N Elmhrst Av MtPrspct-255-8584
Newman Robt C
145 Meyer Rd HofmnEsts-885-1479
Newman Robt J 511 EichlrDr WDundee-428-9549
Newman Robt W 12 S Alfred Elgn----SH 1-8068
Newman Robt W 416 Savoy Ct Schmbrg-529-6006
Newman Ron 7N040 Cary SElgn------697-7871
Newman Ronald A
3132 N Wilshire ArlHts-398-8536
Newman Steven 920 Sterling Av Palatin-991-0374
Newman Ted C 228 Liberty Baringtn--381-2270
Newman Thos E
931 Bernard Dr BufloGrv-541-9433
Newman Tires&Auto Parts
365 N Woodbury SElgn-SH 1-0282
Newman Warren H
215 N Prindle ArlHts-398-4689

Newman Wayne S
3223 N Volz Dr W ArlHts-398-6068
Newman Wayne W 1556 Maple Ln Elgn-697-7860
Newman Wm F
362 LakesidePlaza HofmnEsts-885-0259
Newman Wm S Sr
814 W Hackberry Dr ArlHts-394-9664
Newmann Ralph J
567 Oakmnt HofmnEsts-885-1316
Newman's Citgo 594 N LaFox SElgn--SH 1-0282
Newport E J 301 S Edward MtPrspct-CL 9-3478
Newport Jas T 750 W Algonquin DesPl
ElkGrvVlgTelNo 439-1470
Newport Printing Co
5100 Newport Dr RolngMdws-259-6868
Newquist Dani L 1038 SHighInd ArlHts-253-2748
Newren Robert W 1817 Azalea Ln
MtPrspct-DesPlTelNo 296-2158
News Travel Inc 415 W Golf
ArlHts-ElkGrvVlgTelNo 640-7100
Newsom Barbara
23 W 730 W Walnut Rosel-894-0408
Newsom David C
1510 N ValleyLk Dr Schmbrg-882-1632
Newsom Donald
214 S Hi-Lusi MtPrspct-259-9577
Newsom Geo T 1913 Thornwd Ln MtPrspct
DesPlTelNo 824-4352
Newsom Lee K
1996 N Oxfd Ln HofmnEsts-884-7521
Newsom Richard A
1713 Catalpa MtPrspct-956-1272
Newsome Arthur G
2305 Fairvw Av FoxRvrGrv-658-5687
Newsome Bud
1529 McKool Av Streamwd-837-2071
Newsome Carl Jr
6633 Scott Ln HanovrPk-830-0798
Newsome Dani 6753 Hickry HanovrPk---289-0119
Newsome John 749 Trace BufloGrv----394-4337
Newsome Randolph
198 Patricia Ln PrspctHts-253-6015
Newspaper Equipment Inc
319 W NWHwy Baringtn-381-2052
Newsted David 745 N Hickry Av ArlHts-394-4031
Newton Assoc 1211 Tower Rd Schmbrg-882-0200
Newton D A 255 W Slade Palatin-----358-0762
Newton David M
15a DundeeQuarter Palatin-991-3582
Newton Frank B
105 W Sunset Rd MtPrspct-CL 5-5328
Newton Gary B 116 Pauline Dr Elgn---695-9026
Newton&Holt Furniture Co The
10 S Spring Rosel-529-2332
Newton John F 80 Grange ElkGrvVlg--437-0871
Newton K A
34 W 739 Clyde Parkwy ValleyVw-695-1929
Newton L B Jr
5601 Carriagewy RolngMdws-259-3787
Newton L M 107 N WaverlyPl MtPrspct-253-0970
Newton M 5100 Carriagewy RolngMdws-398-2738
Newton Nan 1221 Cambia Dr Schmbrg-893-5583
Newton Pam 943 Carriage Wy Elgn----697-5394
Newton Paul W 521 Longvw Algonqn--658-8320
Newton R Don 744 WDempstr MtPrspct-437-4995
Newton Robt 733 Balboa Ter W Bartlt-289-4521
Newton Roy 620 S Roosvlt ArlHts-----392-7998
Newton Roy
1101 S HuntClub Dr MtPrspct-437-8630
Newton Steve 241 W Main LkZurich---438-4507
Newton Wm R 4 Guthrie Ct
Hampshir-ElgnTelNo 742-1992
Nexhbubin Sejdini
4702 Arbor Dr RolngMdws-397-9077
Nexon Norman D
914 Ridge Sq ElkGrvVlg-437-8531
Ney Alfred E 500 Checker BufloGrv---537-4677
Ney Ray F 124 Circle Dr IsldLk-------526-3971
Ney Richard A 43 W Centrl Rosel------529-9557
Ney Wm W 409 S Elmhrst MtPrspct---394-1788
Neybert Robt A
341 Nottnghm Ln HofmnEsts-885-2352
Neyens Emil N 1140 Candida Elgn-----695-1992
Neylon Dennis J 1131 Mohawk Elgn---SH 2-1428
Neylon H P
2135 Hassell Rd HofmnEsts-885-1241
Neylon Paul 1152 Cedar Av Elgn------695-5593
Teen's Teleph 1152 Cedar Av Elgn--695-5594
Neyman Donald E
1549 Plymth Cir Carpntrsvl-428-1613
Neyrinck Chas
308 N Stratton MtPrspct-296-7265
Nezda Robt 4722 Arbor Dr RolngMdws-397-1246
Ng Gilbert 300 Cloverdl Ln Schmbrg---843-1075
Ng Kamfoon 163 Chathm Ct Blmngdl--393-4865
Ng Kin Sang 21 N Grove Av Elgn------741-9272
Ng Robt W 1715 Park Dr Schmbrg----882-9245
Ng Stanley 121 Dartfd Ln Schmbrg---882-9169
Ng T 627 Acadia Trl Rosel----------894-0743
Ng-Wai Wing 436 Allen Ct Wheeling---537-0672
Ngo Huu Dang
841 Blossom Ln Wheeling-541-6590
Nguyen Bao Con 819 E Miner ArlHts---392-2948
Nguyen Gia 130 S Dubois Av Elgn-----697-2986

Nguyen Manh Gia 1 S Drydn
Nguyen Nguyen V
1220 S Elmhrst
Nguyen Nha Trong 640 Murr
DesPl-ElkGrv
Nguyen Van Tanh
806 Bartlett Rd
Niblett F J 1309 W Hamptn
Nicasio Victor
1305 W FortuneBay Ct
Nicasio Victor
1919 Prairie S
Nicastro Frank G
1830 Forest Dr
Nicchia Jos 707 Pleasant Pl
Niccum Jas R 132 Fairln Ct
Nice Richard
114 S Elmhrst Av
Nicel Industries Inc
800 E NWHwy
NICHOL—also see NICAL
NICKEL, NICKAL
Nichol A J 352 Congdon Elg
Nichol A John Jr 917 Forest
Nichol Benj E 538 N Aldine
Nichol Jos L 237 Tamerack
Nichol Robt C 919 Forest Dr
Nichol Thos E 79 S South C
NICHOLAS—also see NIC
NICALAS, NICOLAS,
Nicholas Arthur S 655 Oak R
Nicholas Geno M 56 W Fran
Nicholas I L 67 Kendl ElkGr
Nicholas Jas F 239 Langtn
Nicholas Jas R 1401 Cove
Nicholas John C Jr 707Webs
Nicholas Nick
314 N ProspectMano
Nicholas Nick 4035PrinctnCt
Nicholas Pete M 809 E Mine
Nicholas Peter 184 Fairfld
Nicholas Robt D 460 N Main
Nicholas Sami 226 Waltr Ct
Nicholas Thos W 311 NOwer
Nicholas V P 255 Henry Ln
Nicholas W D 1725 Birch Pl
Nicholas Wes
1919 S Prairie
Nicholl Norman H
647 Jeffrsn Av
Nicholls Dennis L
133 Pleasant
Nicholls Renwick O
1304 E Algonquin
NICHOLS—also see NICLA
NICHALLS, NICHALS,
Nichols A 2515 E Olive Ar
Nichols A Jedd
Ofc 125 S Wilke Rd ArlH
Res 3840 Emersn Av Ro
Nichols Advanced Vehicle Sy
Box Div 401 Bonnie Ln E
Nichols A R 145 Concord Ln
Nichols B Sturm St LkZurich
Nichols B W 123 Chestnut
Nichols Chas A 802 S Everg
Nichols Chas D
1415 E Centr
Nichols Chas R 2405Flickert
Nichols Chester R 1434 Lar
Nichols D A Company Inc
801 Morse
Nichols D J 970 Jeffersn S
Nichols Dani F
1840 Stockton Dr
Nichols David O
1427 N ValleyLk
Nichols Donald 24 Elm ArlH
Nichols E H 2315 S Goeber
Nichols Earl E 120 W Broo
Nichols Edw 1213 PrairieB
Nichols F 813 Locust Dr S
Nichols Faith 8 OakCrk Buf
Nichols G 1110 CenturyOak
Nichols Gary R
865 BrushHil
Nichols Gordon D 673 Colu
Nichols Guy E 627 Douglas
Nichols H E 162 S Waltn E
Nichols I C 1331 Yarmth C
Nichols Insurance Agcy
125 S V
Nichols J 11 North EDunc
Nichols J A 861 Joyce Ln
Nichols Jas N 619 N Bever
Nichols Jerome
145 Concord Ln
Nichols Joe L 226 Villa El
Nichols John W 228 Redwc
Nichols Jos 1322 Mulberry
Nichols Kenneth 218 N Gil
Nichols Kenneth D Jr 321

C 030

Exhibit P4

T.355 - 1717 Nearest Suburbs Directory

NEW SHANGHAI CHOP SUEY SHOP
2141 Ridgelnd Brwyn-GU 4-0247

New Star Restrnt
7444 North Av ElmwdPk--------GL 3-8242
7444 North Av ElmwdPk--------453-9815
New Town Tap Inc 1715 Roosvlt Brdvw-343-2670
NEW U THE 3525 Euclid Brwyn------788-0143
Village Mkt
eats 814 S OakPark OakPk------386-1100
new World Construction Inc
2501 58 Ct Cicero-656-9337
New York Blower 907 Elm Hinsdl-----325-8540
NEW YORK LIFE INSURANCE CO
1010 Jorie OakBrk----------986-4400
4415 Harrison Hilsd----------449-5480
New York Notion Company of Chicago Inc
2040 Janice MelrosPk-345-6900
New York Underwriters Insurance Co
1440 North MelrosPk----------681-5887
Nights Sundays & Holidays Chgo----FI 6-6040
New Yorker Annex Styling Salon
4825 Cumberlnd Noridg-456-9888
New Zealand Lamb Co 9270 Evenhouse Av Rosemt PkRdgTelNo 696-3434
New Zealand Milk Products Inc
6300 River Rd Rosemt-PkRdgTelNo 696-2616
Newa Ralph 1406c N Harlem RvrFor---369-7058
Newbart Donald J 316 N Cuylr OakPk--386-6715
Newberg A L 3800 Scovl Brwyn-------484-5082
Newberg Arlene J 1302 Home Brwyn---484-4424
Newberg Fred W 1528 Lee Brkly------544-2834
Newberg Inga Mrs 1015 N 15 MelrosPk-344-3395
Newberg J D 707 S Monroe Hinsdl-----325-2669
Newberg Lawrence 4049 Centr Lyons--HI 7-4938
Newberry D L 10 S 710 Lilac Ln Hinsdl-920-1507
Newberry Delmar L 4240DuBois Brkfld-485-0262
Newberry Delmar R
4116 S Raymnd Brkfld-485-5749
Newberry Eugene R 216 S Taylr OakPk-848-1772
Newberry J J Co
Store 1220 WinstnPlz MelrosPk---MU 1-1388
Newberry Jas L
9432a Kelvin Ln SchlrPk-678-4011
Newberry Barry T 1023 N OakPk OakPk-848-8025
Newbill Chas W 336 Lathrop ForPk---771-7567
Newbold Jas R 1250 DesPlaines ForPk-771-7380
Newbold Wm H
4136 Johnsn WstrnSpgs-246-8389
Newby Linda J 9464 Maple Dr Rosemt PkRdgTelNo 692-6862
ewby M B 7542 Adams ForPk------366-3181
ewby Wm H 930 S Park Hinsdl-----FA 3-8054
Newcomb C J 15W106 91 Hinsdl------323-5491
Newcomb Don R
36 KingArthur Ct Nrthlk-562-4479
Newcomb Harold W 8700 W31 Brkfld-HU 5-2019
Newcomb Ivan 8221 Hess LaGrng-----246-6732
Newcomb Jas V 4636 12th Pl Cicero---780-0359
Newcomb Stephen H
1933 OakPk Brwyn-788-9717
Newcome Janie Professional Studio of The Dance 1016 E 31 LaGrngPk---FL 2-3750
Newcomer John M
RI Est 503 Main Maywd----------344-0104
Newcomer Ronald D 603 NCuylr OakPk-848-3837
Newell Darnell 1020 N Austin OakPk--848-2247
Newell David B 19 Blaine Hinsdl------323-7367
Newell Donald E 1809 Harlem Brwyn--795-6807
Newell Edw F 110 W 66 Wstmt------852-1656
Newell Elmer A 4919 Delphia Noridg---456-7244
Newell Ernie 4843 14th Cicero-------863-6851
Newell G L 3737 58th Ct Cicero------TO 3-7660
Newell Genevieve C 408 S Maple OakPk-386-6785
Newell Horace S 9123 Lincln Brkfld--HU 5-7484
Newell Ida M 2025 S 3 Maywd-------345-8470
Newell J B 3520 Clevelnd Brkfld------485-0367
Newell John 3811 Madisn Brkfld------485-4202
Newell Ken 1444 N 45 Pl MelrosPk-----345-5873
Newell Lloyd L 338 S Spring LaGrng--354-0387
Newell M 306 S Kenilwrth OakPk-----848-0386
Newell Thos E
7939 ClarendonHills Rd ClarHils-654-1339
Newell Wm C 3917 Johnsn WstrnSpgs--246-7897
Newgreen R J 3256 Maple Brwyn-----484-5351
Newhard Don 4439 Grace SchlrPk----678-5659
Newhard Richard 3533 Forest Brkfld--485-4291
Newhart Edw C Jr 706 Lyman OakPk--EU 6-4203
Newhart Margaret C
1526 51st Ct Cicero-656-0975
Newhouse David H
15W220 Plainfld Rd BurrRdg-887-0839
Newhouse Paul 421 S Harvey OakPk---386-1681
Newitt Timothy B
141 S Humphrey OakPk-383-1524
Newkirk John M Jr 209 N Elm Hinsdl--323-4761
Newkirk John M&Co
120 E Ogden Hinsdl-325-4018
Newkirk Leonard H
6310 S Madisn Hinsdl-654-3080
Newkirk M T 19 E 1 Hinsdl----------654-0268
Newkirk Rodney H
7862 Lawrence Noridg-GL 7-0346
Newkirk T H 1921 Hawthrn Wstchstr---562-2187
Newkirk Thos W 10513Crown FrnkinPk-451-0587
Newkoop John 4014 OakPark Stckny---788-1814
Newland N 1610 Belleww Wstchstr----562-7682
Newland Wm G 63 W Fountainhead Wstmt-DownrsGrvTelNo 969-1128
Newlin Dan R 9232 Jill Ln SchlrPk----678-1768
Newlin Jas M 415 N Elm Hinsdl------323-5263
Newlin John W Jr 122 N Grant Hinsdl--325-1450
NEWMAN *also see* NEUMAN NEUMANN
Newman A 2630 Oak Pk Brwyn-------ST 8-8383
Newman Allan A OD
9651 IrvngPk SchlrPk-678-3307
Newman Andrew W
140 S Walola LaGrng-354-8832
Newman Barry S 317 Frederick Belwd--544-1442
Newman Benj 2301 Grove RvrGrv------453-3843
Newman Bruce B MD
Ofc 40 S Clay Hinsdl----------323-4142
Res 735 S Garfield Hinsdl---------323-4455
Newman C M 6447 Sinclair Brwyn----484-8214
Newman Calvin C 2518 Scovl Brwyn--GU 4-6336
Newman Carrie 401 N Taft Hilsd------449-8649
Newman Chas 1957Manchestr Wstchstr-865-8129
Newman Chick 105510 Echo Ln Hinsdl-323-8773
Newman Dave 8S355 Brookdl ClarHils-323-7013
Newman David C 228 Fairbnk Rivrsd--447-6027
Childs Teleph 228 Fairbank Rivrsd--447-6109
Newman David L
935 N Washngtn Hinsdl-323-5059
Newman David R 372 Shenstn Rivrsd-447-0108
Newman Donald H 104 S Harvey OakPk-383-3850
Newman Edw P 309 N Lincln Hinsdl---986-5499
Newman Elect Motors Inc
2708 Ridgelnd Brwyn-ST 8-5250
Newman Elmer O
224 S Washngtn Wstmt-968-4382
Newman Frank G 6429 28th Pl Brwyn-484-6132
Newman Fred 5801 Sunset LaGrng----FL 2-8769
Newman Fred C
610 N Brainard LaGrngPk-352-2224
Newman Gary J 135 S Harvy OakPk----386-9009
Newman H Plumbing Co
2115 S 23 Av Brdvw-343-6697
Newman Hank R
4620 Fisherman's Lyons-442-7995
Newman Henry W 2115 S 23Av Brdvw-343-6638
Newman Idamae 600 N Wolf Hilsd----449-9246
Newman J M Co
Ctn Wls 1222 Belleforte OakPk----848-2300
Newman Jas H 1100 N 23 MelrosPk---345-6175
Newman Jas R
4600 Johnsn Av WstrnSpgs-246-5525
Newman John L 322 Lathrop ForPk---771-6011
Newman Jos E
32 KingArthur Ct Nrthlk-562-6132
Newman Lawrence R 2409 S 10 Brdvw-865-7631
Newman Morton F
1916 73d Ct ElmwdPk-456-9067
Newman O W 4560 Clausen WstrnSpgs-246-4093
Newman Peter S 3723 Ruby SchlrPk---678-5935
Newman Poultry Farm
55th Near Wolf Rd WstrnSpgs-246-6525
Newman Ralph F
3414 McCormick Brkfld-HU 5-1265
Newman Richard J
5216 Ellingtn WstrnSpgs-246-4939
Newman Richard M 312 N Lindn OakPk-383-6066
Newman Robt 7502 Farmngdl Darien--887-8410
Newman Robt 10 S 660 Lilac Ln Hinsdl-986-8057
Newman Robt 1705 N 21 MelrosPk---865-0929
Newman Robt C 415 S Peck LaGrng---354-1878
Newman Robt D 1100 Nichols Maywd--343-6099
Newman Robt J
4144 Gilbert WstrnSpgs-246-0425
Newman Robt P 437 S Walola LaGrng--352-0953
Newman Roger
16W626 HoneysuckleRose Hinsdl-323-1831
Newman Ron 4109 Harlem Stckny----749-6360
Newman Ronald L
808 Kemman LaGrngPk-482-7278
Newman Sidney
1200 Winstn Dr MelrosPk-345-3158
Newman Sophie
2200 Hainswrth N Rivrsd-447-1096
Newman Steven D 4235 Harlem Stckny-749-6453
Newman Theo 2729 50th Ct Cicero---TO 3-7847
Newman Thos Chase
913 Plainfld Rd Darien-964-5975
Newman Tillie K 2732 60th Ct Cicero-652-0766
Newman Wm H MD
9711 Grand FrnkinPk-455-4774
Newport Division Reichhold Chemicals Inc
815 Commerce OakBrk-887-0405
Newport Leasing Corp
3415 W North MelrosPk-344-1420
Newport Paul J
24a KingeryQuartr Hinsdl-325-8935
News Journal World
6905 North Av OakPk-524-0600
Newsboys Inc
Shawmut & Kemman LaGrng-352-7799
Newsham Gerald F
2011 74th Ct ElmwdPk-452-7476
Newsham Katie 2011 74th Ct ElmwdPk-452-4981
Newsom Hamilton S Jr 303 E 6 Hinsdl--325-2820
Newsom Hamilton S Mrs
422 E 6 Hinsdl-323-0949
Newsom Jas 4540 Gilbert WstrnSpgs-CH 6-2220
Newsom Larry J
416 N Washngtn Wstmt-963-2395
Newsom Mary H 2715 Marwd RvrGrv---453-9410
Newsom Theresa 211 Washngtn OakPk-848-8735
Newson Helen Arts&Antiques
3302 Grove Brwyn-788-6694
Newspaper Distributors Association of Chicago Inc 4415 Harrisn Hilsd----------449-5470
Newth Robt I 2438 Sarah FrnkinPk---455-4509
Newtoff Richard A 8508 45th Pl Lyons-442-9257
Newton A A 142 N Stough Hinsdl------325-3141
Newton Albert 613 Phlilippa Hinsdl---887-1593
Newton Andrew J 6930 29th Brwyn---ST 8-3281
Newton C 1515 W Ogden LaGrng------352-6251
Newton C E&Associates Inc
9500 W Ogden Brkfld-485-3090
Newton Carl E 1015 W 19 Brdvw------345-4285
Newton Clifford B Mrs
7911 Barry ElmwdPk-453-2576
Newton Earl 2700 StCharles Rd Belwd-547-6339
Newton Fredk J 7445 Roosvlt ForPk---369-5526
Newton J 40 N Tower Rd OakBrk------627-5940
Newton J W 431 N Humphrey OakPk---386-7667
Newton Jas A
110 Springlake Ave Hinsdl-654-3799
Newton Jerry 3136 52nd Ct Cicero-----863-5259
Newton Jos R III
42 Chatham Ln OakBrk----------654-3240
Teen's Teleph 42 Chatham Ln OakBrk-654-3267
Newton Larry 301 S Bluff LaGrng------352-1454
Newton Lytle 5517 KingArthur Ct Wstmt-DownrsGrvTelNo 968-7136
Newton M 129 S 6 Maywd----------865-2399
Newton Raymond J 5516 24th Cicero---652-6482
Newton W L 112 E Richmnd Wstmt DownrsGrvTelNo 969-1329
Newton Walter J CPA
1239 Woodbine OakPk-386-6380
Newton Wm 2126 S 5 Maywd--------681-1033
Newtson Percy 81 Waverly ClarHils---323-3427
Ney Benj H 1411 S 19 Maywd--------681-0667
Ney Richard C 2242 73rd Av ElmwdPk-452-9744
Neylan John F III 144 Harrisn OakPk---848-5314
Neylan L 144 Harrisn OakPk---------848-5314
Neymark Albert M
2106 74th Av ElmwdPk-453-6811
Neymark Fanny A 532 N Cuylr OakPk-EU 6-4209
Neymark Harold A 942 Linon OakPk--VI 8-6914
Nezgoda Jos 2108 49th Ct Cicero------TO 3-2106
Nezgoda Jos F 4019 Scovl Stckny------484-6231
Nezgoda Walter 1637 49th Ct Cicero---OL 2-1722
Neziri Muri Aden 8225 45th Lyons----442-7058
Nezworski Michael P 8621 43rd Lyons-442-6543
Ng Howard 20 Wilmette Wstmt-DownrsGrvTelNo 960-0616
Ng Kin Mo Hines II----------344-1590
Ng Peter 419 S Scovl OakPk----------848-9136
Nge Thos C 10S453 Echo Ln Hinsdl---323-7677
Ngoon Wai Kuen 115 N OakPk OakPk--386-8756
Nguyen Hung KP 542 WChestnut Hinsdl-654-4290
Nguyen Ke Van 1121 S Taylr OakPk---848-3278
Nguyen Than 503 N 4 Maywd---------343-3495
Nguyen Thuyen Dinh
16 W 500 58th ClarHils-986-9042
Nguyen Vanquang
2544 Rose St FrnkinPk-455-2878
Niacaris Wm G 4402 Wenonah Stckny--484-8664
Niagara Car Wash
7525 Grand ElmwdPk-452-7450
NIAGARA ENVELOPE COMPANY OF ILL
9427 River St SchlrPk-678-9030
Niagara Frontier Paper Co Inc
4415 Harrisn Hilsd-449-3133
Niagara of Wisconsin Paper Corp
2625 Buttrfld OakBrk-986-0425
Niaura Vitas 5503 Grand WstrnSpgs---246-0561
Nibbe Edw M 2230 74th Av ElmwdPk-453-4103
Nibeck Jas I 122 N Monroe St Hinsdl--323-0589
Niberg F M 2812 75th Av ElmwdPk---453-7886
Niblick Michael J 3009Bright FrnkinPk-455-2846
NICALAS—also see NICHALAS, NICHOLAS, NICKLAS, NICOLAS, NIKLAS, NIKOLAS
Nicalek Stanley 3263 58th Ct Cicero---656-8775
Nicastro Alfonso W DDS
res 141 Scottswd Rd Rivrsd-------HI 7-5386
Nicastro Anthony
16 W 518 HoneysuckleRose Hinsdl-323-2248
Nicastro Thos 1142 Clevelnd LaGrngPk-352-3309
Niccolai A 1936 60th Ct Cicero------863-0442
Niccolai Carlo 1516 59th Ct Cicero----652-5240
Niccolai Erma Mrs 1204 N32 MelrosPk-343-9072
Niccolai Frank 1228 Austin Cicero----863-4097
Niccolai Frank N
705 Newberry LaGrngPk-FL 4-3859
Niccolai Geo J 928 S Ashlnd LaGrng---352-0357
Niccolai Gorl 1541 N 34 MelrosPk----344-1707
Niccolai Jos E 1322 N Austin OakPk---VI 8-5337
Niccolai Robt J 1046 Keystn RvrFor---FO 9-7728
Niccoli R 2315 Cuyir Brwyn----------788-3932
Nice N Easy 7123 Roosvlt Brwyn------484-9472
Nicely Duane 10116 McLean MelrosPk-455-8829

NEAR WEST

Nicely Harold 1035 S
Nicewarner E M 3643
Nich Steve W 3410 58
NICHALS—also see NICKELS
Nichele J 821 S Euclid
Nichele Julio 2611 Mar
Nichele Ronald 2635 M
Nichilo Jerry J 4317 S
Nichilo M 2234 Kensn
Nichilo Victor 34 KingA
Nichimen Company Inc
3100
Nichiporuk Walter 3427
NICHOL *also see* NI
Nichol A C 1801 35th
Nichol Frank T 1801 3
Nichol Henry S 4 Woodr
Nichol Jas 622 Lyman
Nichol Jas 4814 Woodl
Nichol Jas E 9 WestOak
Nichol Micnael 737 S
Nichol Robt M 1725 3
Nichol Thos E 705 S Sc
NICHOLAS *also see* NICKLAS NICOLA
Nicholas Alex 604 S A
Nicholas Barry A
9581 Maple Rosem
Nicholas Construction C
19
Nicholas Everett E Dr
OakBr
Nicholas Everett E Jr
54
Nicholas Everett E MD
713 Lake OakPk----
Nicholas Fred W 13 W
Nicholas G F Realty Co
31
Nicholas G J&Co Inc
lacquer mfrs 2800
Nicholas Jerome 437
Nicholas Jerome G
601 N
Nicholas John C 642 S
Nicholas Leonard E
5821
Nicholas Michael 3111
Nicholas Robt E 151 N
Nicholas Robt E Co
rl est 1103 Westgat
Nicholas Robt M 619
Nicholas Ronald R 4022
Nicholas Russell B 39
Nicholaus D Alan
1517 Ro
Nicholl Thos 2146 73rd
NICHOLLS *also see*
Nicholls K E DDS
108 N
Nicholls R 1542 Hawk
NICHOLS *also see*
Nichols A M 2835 Lin
Nichols Allen L 3010
Nichols Bernard J
2828 7
Nichols Chas G 1625 S
Nichols Chester C 14 N
Nichols David E 229 M
Nichols Dena 253 73d
Nichols Donald E 3607
Nichols Donald H 541E
Nichols Douglas E
812 Home
Nichols Ervin E MD 12
Nichols Fred A 4036 L
Nichols G Z 110 S Kan
Nichols Geo 226 N Oakl
Nichols Geo A 22 Bradf
Nichols Harry S 4721 G
Nichols Herbert L
4300 Joh
Nichols Herbert W 219
Nichols Iddo 1601 S 20
Nichols J M 445 Homes
Nichols Jas H 424 S T
Nichols Jas J
6443f S Clarendon
Nichols Jas S 1523 N 2
Nichols Jerry M 124 N
Nichols Jill 219 S Clay
Nichols John B Jr
1201 Sleepyhi
Nichols John C
5229 Cla
Nichols John H Res
144 N Pr
Nichols John S Jr 412 W
Nichols Kenneth G 4421
Nichols Lewis E 913 Th
Nichols M 6742 19th B

C031

Exhibit P5

1977 South Suburbs Directory

NEW LENOX TRAVEL SERVICE INC
227 W Maple Ln New Lenox ---------- 815 485-3300
New Lenox Travel Service Inc
227 W Maple New Lenox ---------- 479-2601
New Life Assembly
15201 Orland Brook Dr Orland Pk ---------- 349-7010
New Life Literature Mission
9127 79th Pl Burbank ---------- 424-7581
New Moon House Chop Suey
Rt 30 & Olympia Way Oly Flds ---------- 747-1080
New Mount Olive Baptist Church
15643 W Wood St Harvy ---------- 333-4589
New Process Baking Co
9000 111th Oak Lwn ---------- 425-5810
New Saint Geo Romanian Orthodox Church—
Hall 17601 Wentworth Av Lansng ---------- 895-9672
Ofc 17601 Wentworth Av Lansng ---------- 474-0340
New Testament Church of God & Christ
1540 Berkely Av E Chgo Hts ---------- 758-7171
New Top Hat Lounge
3702 W 139th Robns ---------- 389-8683
New Town Prntrs
22349 Governrs Hwy Rchtn Pk ---------- 481-6295
New Unfinished Furnitr
15935 Harlem Av Tinly Pk ---------- 532-5959
New World Travel Serv
7130 127th Palos Hts ---------- 448-2112
New York Life Insurance Co—
Dolton 1350 E Sibley Bl ---------- 841-6582
Oak Lwn 4700 95th ---------- 424-4400
Oly Flds 20280 Governrs Hwy ---------- 748-5300
River Oaks 2200 E 170th Lansng ---------- 895-2000
New York State Department of Commerce
409 Watseka Pk For ---------- 481-1323
New York Underwriters Insurance Group
10840 S Western Av Chicago ---------- 779-0600
NEW YOU THE
153 W Joe Orr Rd Chgo Hts ---------- 756-3310
Newberg Bernard H 19 E 141st Rivrdl ---- 849-3118
Newberg Eleanor D 17119 Walter Lansng 474-6075
Newberg John P 15201 Dorchstr Av Dolton- 841-4417
Newberg Phillip 13943 Wabash Av Rivrdl-- 841-7664
Newbery Ray W 916 Olive Rd Homewd ---- 798-6494
Newberg Theo J 5014 82nd Burbank ----- 636-8983
Newbern Hiram Jr 14704 Winchstr Harvy - 596-5864
Newbern Pharis 15328 Ashlnd Av Harvy --- 596-1457
Newberry Herbert D 18337 School Lansng 474-1750
Newberry Herbert D Jr
18356 Locust Lansng ---------- 474-2962
Newberry Herman 3519 Susan Ln Stgr --- 756-3178
Newberry Joe 187 Richtn Rd Stgr ---------- 754-9255
Newberry Jos R Jr 3438 Butler Stgr ------- 754-3408
Newberry W A 3518 Susan Ln Stgr-------- 755-9050
Newberry's Furnitr 49 E 34th Stgr-------- 755-0650
Newbill Chas G 17101 Centrl Pk Av Hzl Crst 335-1083
Newbould Edwin P
1123 E 173rd Pl S Holnd ---------- 331-3744
Newbould S 9334 Turner Av Evrgrn Pk ---- 636-0243
Newbury Jesse 3017 Sangamnt Stgr ------ 754-8333
Newbury Lewis 44 Meadowlrk Ln Beechr -- 946-6876
Newbury Lowell L 1432 East St Crete ---- 672-5615
Newby Michael 750 Mendocino Ct Pk For S 534-5114
Newcomb Lafayette T
1245 Heathr Hl Crscnt Flosmr ---------- 799-2517
Newcomb Lillie 14538 Spaulding Harvy --- 596-0342
Newcomb Norman
10612 Le Claire Av Oak Lwn ---------- 424-7746
Newcomb Norton A
9[illegible] S Ridgeland Av Palos Hts ---------- 389-7805
Newcomb Phillip D 52 Cedar Pk For -------- 481-7523
Newcomb Thos J 17931 Bock Rd Lansng -- 474-3417
Newcomb Walter 1505 Wallace Chgo Hts - 758-6182
Newcomer Circle 99 Wolpers Rd Rd Pk For 748-8260
Newell Alberta 15914 Campbl Av Mrkhm - 331-0068
Newell H D 8030 84th Justice ---------- 599-3709
Newell Howard E 4240 90th Pl Homtwn -- 422-6411
Newell J & J Concrete Construction
14500 Alice Burnhm ---------- 862-1909
Newell J W & Sons Contr

Newhuis David M Jr 34 Fir Pk For ---------- 481-9198
Newhuis Geo D 1401 Main Crete ---------- 672-6657
Newhuis John S Laurel Ct Crete ---------- 672-7334
Newhuis Richard J 1282 Wood Crete ----- 672-8664
Newkirk Clinton R
9814 Warren Av Oak Lwn ---------- 425-7790
Newkirk Harlan H 3122 191st Lansng ---- 474-8742
Newkirk Wm P 18104 Orleans Dr Hzl Crst - 957-1875
Newlin Malcolm E State Line Rd Crete ----- 672-8267
Newlin Millard K 395 Jefry Av Cal Cty ----- 868-1420
Newlon C Jesse 226 Walnut Ln Glnwd ----- 758-5484
Newlon Lel 1148 E Sauk Tr Chgo Hts ------ 758-1173

NEWMAN--- See Also
Neuman,Neumann,Newmann

Newman Arthur 8453 88th Av Justice ---- 496-3719
Newman Barney 4115 98th Oak Lwn------ 499-1234
Newman Barry P 3419 Golfvw Dr Hzl Crst - 798-0865
Newman Betty 1338 Park Av Chgo Hts --- 754-9145
Newman Bobby 3125 Euclid Av S Chgo Hts 754-8173
Newman C R 1720 W 169th Hzl Crst ----- 335-1677
Newman Chas J
15341 Boca Rio Dr Oak For ---------- 687-4832
Newman Chas R 8533 145th Orland Pk --- 349-9231
Newman Chas T
15129 La Crosse Av Oak For ---------- 687-1611
Newman Clarence 615 Dundee Av Flosmr - 798-2630
Newman Clarence R 7401 90th Oak Lwn - 598-9541
Newman D A 4214 87th Pl Homtwn ------- 423-5018
Newman Donald 8033 Nagle Av Burbank -- 599-8059
Newman Drug Stores
14827 Crawfrd Av Midlthn ---------- 371-1151
Newman Drugs
11856 S Westrn Av Chicago ---------- 779-3900
NEWMAN DRUGS 14201 Chgo Rd Dolton 849-6655
Newman Fred Jr 8554 77th Ct Brdgvw --- 599-0726
Newman Fred A 3732 W 216th Pl Mtsn--- 748-0654
Newman Gene 10024 86th Av Palos Hls -- 430-2636
Newman H J 10923 Keating Av Oak Lwn--- 636-6511
Newman Irene B 2725 Brassie Flosmr ---- 957-1020
Newman Irving J 8147 Meade Av Burbank - 599-4861
NEWMAN J & SON UPHOLSTERING CO 18121 Harwd Av Homewd -------- 798-4400
Newman John C 8936 Utica Av Evrgrn Pk - 422-3574
Newman John F 9742 Troy Av Evrgrn Pk -- 423-8766
Newman John F 18102 66th Ct Tinly Pk -- 429-5320
Newman John R Jr 16317 Carse Av Harvy - 339-1343
Newman John R 1630 Evergrn Rd Homewd 799-8337
Newman John W Sr
9564 Albany Av Evrgrn Pk ---------- 423-7072
Newman Jos C 554 Clyde Av Cal Cty ------ 891-6764
Newman Kurt A 15609 Wabash S Holnd -- 596-4395
Newman L 9724 Karlov Av Oak Lwn ------ 422-3148
Newman L F 7501 58th Summit --------- 594-1545
Newman Louis 1449 Diplomt Ln E Chgo Hts 758-0878
Newman Luther K 9404 80th Ct Hikry Hls 598-7263
Newman Manny 4003 104th Oak Lwn ---- 499-0266
Newman Marshall 2712 Brassie Flosmr --- 798-6673
Newman Michael E 4109 127th Alsip ---- 597-7530
Newman Michael E
1367 Mackinaw Av Cal Cty ---------- 891-5830
Newman Myron drugs
14201 Chgo Rd Dolton ---------- 849-6655
Newman Myron 3504 Lakevw Dr Hzl Crst - 798-6166
Newman Norbert C
9607 Tulley Av Oak Lwn ---------- 423-6307
NEWMAN PHARMACY
380 Indianwd Bl Pk For ---------- 748-3225
Newman Richard W Jr
822 Pin Oak Ln Pk For S ---------- 534-9456
Newman Robt A 2340 182nd Ln Lansng -- 474-0815
Newman Robt A 14601 Justine Harvy ---- 331-2787
Newman Robt M 13108 Fairwy Dr Crstwd 597-2928
Newman Robt S 11258 Oak Pk Av Worth - 448-2015
Newman Saml C 1310 Idlewld Ln Homewd 798-7562
Newman Sheldon L 2650 Centrl Dr Flosmr - 957-0661
Newman Surgical Supply
14827 S Crawford Midlthn ---------- 371-2224
[illegible] ---------- 748-2093

Newquist Jas E 841 Highland Dr Chgo Hgts ---------- [illegible]
Newquist James R
13735 Lavergne Crstwd ---------- 388-6291
Newquist Jerome C 3125 101st Evrgrn Pk 636-9466
Newquist R L 528 Gordon Dr Crete ------- 672-8830
Newquist Robt 3637 Green Stgr --------- 754-3044
Newquist Robt W 5818 110th Chgo Rdg -- 424-7230
Newquist Ronald
3009 Euclid Av S Chgo Hts ---------- 755-9251
Newquist Thos 844 Theresa Ln Chgo Hts -- 756-3421
Newquist Thos E
422 S Mayfair Pl Chgo Hts ---------- 755-0931
Newren Edw F 5709 Park Pl Crstwd ------ 388-7511
Newren Wm H 8766 Kolmar Av Homtwn -- 636-0356
Newridge Chemi Co 7025 W 66 Pl Bedfd Pk 458-1511
Newsinc 7250 College Dr Palos Hts ------- 448-1093
Newsom John C 16300 Louis Av S Holnd -- 596-8331
Newsome Jos R 22638 Nichls Dr Sauk Vlg - 758-6821
Newsome Mary 1207 E 14th Pl E Chgo Hts 758-4432
Newsome Norman D 311 Walthm Cal Cty - 868-1761
Newsome Phylice 233 E 16th Chgo Hts---- 755-[illegible]
Newsome Robt Raymond Dr
2556 Burr Oak Av Blu Is ---------- 371-[illegible]
Newsone Gerald 7334 Oak Grv Av Justice-- 594-[illegible]
Newstat Ray A 336 Merrimac Pk For ----- 748-1401
Newstead A A 1381 River Dr Cal Cty------ 862-[illegible]
Newtoff Geo H 3 Hickry Trace Dr Justice --- 594-[illegible]
Newtoff Jas F 16416 Ozark Av Tinly Pk -- 532-[illegible]
Newton A G 15850 Leclaire Av Oak For --- 687-[illegible]
Newton Alfred O
16925 Forestvw Dr Tinly Pk ---------- 429-[illegible]
Newton Chas E 2825 Cambrdg Oly Flds --- 748-[illegible]
Newton Chas E 17857 Exch Av Lansng --- 474-[illegible]
Newton David M 15045 Hardng Av Midlthn 388-[illegible]
Newton Dean 14629 Rt 45 Orland Pk ------ 349-[illegible]
Newton Edw Jr 397 Exch Av Crete ------- 672-[illegible]
Newton Frank A 821 Mc Arthr Chgo Hts -- 481-[illegible]
Child's Teleph 821 Mc Arthr Chgo Hts --- 481-[illegible]
Newton Fred 12113 Vincens Rd Blu Is ---- 597-[illegible]
Newton Gerald T 35 Blackhwk Thrntn ---- 877-[illegible]
Newton H D Rev
19460 Glenwd Rd Chgo Hts ---------- 755-[illegible]
Newton Harry O 2378 Woodlwn Av Crete - 672-[illegible]
Newton Henry D 260 Bradley Dr Chgo Hts - 756-[illegible]
Newton Jas J 18201 Rockwl Av Homewd - 798-[illegible]
Newton Jas P 18120 66th Ct Tinly Pk ---- 429-[illegible]
Newton Jas R 17942 Ridgwd Av Lansng -- 895-[illegible]
Newton John F 7932 93rd Pl Hikry Hls --- 599-[illegible]
Newton John Francis
14841 Caleta Ter Oak For ---------- 687-[illegible]
Newton Larry E 17937 Wildwd Av Lansng 895-[illegible]
Newton N 1121 W 171st E Hzl Crst ------ 799-[illegible]
Newton Norman G
4139 Birchwd Rd Rchtn Pk ---------- 481-[illegible]
Newton P 17202 Ashlnd Av E Hzl Crst ---- 799-[illegible]
Newton Ralph H
W 171st & Kedzie Av Hzl Crst --------- 335-[illegible]
Newton Richard H
11705 Meadow Ln Dr Mermet Pk ------- 385-[illegible]
Newton Stewart C 12619 Lincln Cal Pk --- 597-[illegible]
Newton Willard H
8748 Dartmth Dr Palos Hls ---------- 974-[illegible]
Newton Wm 10925 Valley Ct Palos Hls --- 974-[illegible]
Newton Wm L
10607 Princess Av Chgo Rdg ---------- 423-[illegible]
Newton Wm R 15908 Drexel Av S Holnd--- 339-[illegible]

NEY--- See Also Nay

Ney C 18850 Queens Rd Homewd---------- 798-[illegible]
Neybert Alfred J 9209 Parksd Av Oak Lwn 636-[illegible]
Neyens Monna 8390 Archer Rd Wdo Spgs - 839-[illegible]
Neyer John A 10602 84th Av Palos Hts--- 974-[illegible]
Neylon A 9745 Karlov Av Oak Lwn-------- 423-[illegible]
Neylon H 18100 66th Tinly Pk ---------- 429-[illegible]
Neylon R 2841 Union Blu Is ------------ 385-[illegible]
Neylon R M 12503 69th Ct Palos Hts ----- 361-[illegible]
Nezzle Andrew W
183rd & Springfield Homewd ---------- 798-[illegible]
Ng Daniel 327 Gentry Pk For ---------- 481-[illegible]

Nicely Jos [illegible]
Nicely Thos E 1620
Nichele Roger J 03
Nichporenko T W
15017 Harding A

NICHOL--- See A
Nicholl,Nickel,N

Nichol Donald T
17319 Turtle C
Nichol John 1936
Nichol Keith R 906
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6908 Highind Dr

NICHOLAS--- See

Nicholas Draperies
Nicholas Geo M 10
Nicholas Louis J
[illegible]
424 Kenwood L
Nicholas Wm S
145 Secretariat

NICHOLLS--- See

Nicholls Arthur 17
Nicholls Donald 321
Nicholls E J 3154 S
Nicholls G 10325
[illegible]
Nicholls Vernal 33
Nicholls Robt J 10
Nichols W T 103

NICHOLS--- See

Nichols A 3405
Nichols Arthur 9
Nichols Beverly
Nichols C 950 E
Nichols Chas 10
Nichols Clarence
8131 Mango
Nichols Donna
Nichols Douglas
Nichols E 12[illegible]
Nichols Easter
Nichols Edw 1
Nichols Edw R
Nichols Elmer
Nichols Eugen
Nichols Everet
Nichols Floris
Nichols Franc
Nichols Frank
Nichols Frank
Nichols Frank
Nichols Fred C
Nichols G 117
Nichols Geo
Nichols Geo J
Nichols Geo L
Nichols H 45
Nichols Harle
Nichols Harol
Nichols Harry
Nichols Howa
10513 K
Nichols I 153
Nichols Jas E
Nichols Jerry
10043 C
Nichols John
9720 R
Nichols John

Excerpt from proceedings before the Circuit Court of Cook County on January 24, 1978, Judge James Schreier presiding;

Page of Transcript of Proceedings

12 MR. WEBB (attorney for Petitioner): Thank you, Your Honor.

My second contention, and I believe my more serious objection to the extradition of this man back to New Jersey relates to the interpretation of Section 23 of the Illinois Extradition Act which we are faced with here since, as I said earlier, that Mr. Newman is not alleged to have ever been a fugitive in the sense that he was in the State of New Jersey and fled back to Illinois or some other State.

My contention in essence, Judge, is that what this man whoever he is, Donald Newman, is alleged to have done in
13 Chicago, in the Chicago area, is perfectly legal under Illinois law. He is charged with having privately placed a child for adoption. New Jersey prohibits that. New Jersey says you must go through a public agency to place a child for adoption.

I would like and ask leave of the Court through a witness that I intend to call, who is an expert on adoption procedures in Illinois, to establish very briefly for the Court that private placement of children for adoption is perfectly legal and acceptable and a common practice in Illinois.

The reason I want to introduce that kind of evidence, Judge, is because Section 23 says that if someone performs an act in Illinois intentionally resulting in a crime in another State such as New Jersey, then he can be extradited. However, the reason for that last, the word "intentional" is there in the uniform act and is in the Illinois act because if someone inadvertently does an act in one State that may violate some law of another State, this State is not necessarily going to relinquish him.

The classic example would be that I could send a black child maybe at one point in time in our nation's history to
14 Alabama to school if I am an Illinois resident, and I sent my child to Alabama and that black child violates an Alabama criminal statute prohibiting black children from going to school in Alabama in a public-supported school and I as the father back in Illinois later get indicted for having caused my child to go to Alabama, well, obviously, if I were going to be extradited by an act in Illinois sending my child away to school, which is perfectly legal in Illinois, and the fact that I inadvertently may have violated come statute of another State, would not justify this State in relinquishing its citizens.

I would call to the Court's attention the fact that Illinois has not defined the word intentional as well as some other states have. New York, for example, when they adopted the uniform extradition act as Illinois has, in connection with the word intentional they've put in a phrase that that would only be if the act performed that was performed in New York also violated New York law, so New York or Illinois should not be in a position of taking its citizens and thrusting them into another State for acts which were done innocently in Illinois.

THE COURT: Doesn't that weaken your argument?

Considering the status of the law in New York which
15 you just related to me in terms of as differentiated from the law in Illinois or the definition in Illinois of the word intentional, doesn't that actually weaken your argument?

Illinois doesn't have the same kind of —

MR. WEBB: I cite the New York law only because I think that it's indicative of what Illinois and the uniform act which doesn't have that phrase, but that is what the word intentional means.

The reason that word is in there is to prevent the very problem that I am talking about and I am simply saying that New York just objectively did it while the statute here hasn't stated that on its face, that that realistically is what what that word means, intentional.

Now, in order — I would like to prove to the Court that, first of all, I would like to tender an exhibit marked as Petitioner's Exhibit 7, which I am going to ask the Court to take judicial notice of what this is is a listing of every State in the Union and a listing of the citations of their adoption laws and setting forth whether or not a private placement of infants for adoption is legal or illegal in those States, and I only tender this list as a compilation of those statutes and ask the Court to take judicial notice of
16 those statutes which I will tender to the Court and that only purpose for that is that what is alleged here is not something that is commonly illegal.

We want children who don't have homes to get homes and Illinois does not prohibit that. New Jersey happens to, but since the Donald Newman referred to obviously was performing acts in Illinois which were legal, therefore he could never be presumptively—he could never be committing a crime intentionally resulting in another crime in another State.

Now, in order to establish Illinois law before Your Honor, I have subpoenaed and have present Mr. Mel Parnell.

Will you please come forward.

MR. GLENVILLE: Your Honor, at this time, if I may, I would, of course, object to any testimony by the alleged expert, namely, Mr. Parnell.

Again, Your Honor, I must refer to my legal memorandum.

THE COURT: Mr. Glenville, I'm going to cut you short. I am going to allow counsel to supplement his argument. I am not saying that I am going to, that it is going to be persuasive to me, but I think it right and proper that counsel can supplement his argument and make his record
17 which might or might not be persuasive, but I think he should have the right to do it.

MR. WEBB: Thank you.

THE COURT: Proceed.

MR. GLENVILLE: Then the testimony will be admitted over my objection, Your Honor, for the record?

THE COURT: Yes.

MR. WEBB: May the witness be sworn, Your Honor?

MELVIN R. PARNELL

called as a witness by the Petitioner, having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION
BY MR. WEBB:

Q. Sir,would you please state your full name and spell your last name for the court reporter?

A. Melvin R. Parnell, P-a-r-n-e-l-l.

Q. Mr. Parnell, what is your occupation?

A. I am an attorney at law.

Q. And do you have any specific employment within Cook County?

A. I am not employed by anybody but myself, but I am employed by the Circuit Court of Cook County as guardian ad litem in the adoption cases in the County Division.

Q. And would you tell the Court what your duties are
18 in that position?

A. To represent each child that is being adopted and to make an investigation and relate the adoption cases to the Court as to the status and well-being of the adoption.

Q. And do you play any role in connection with educating attorneys on the adoption law in that position?

A. Yes, I have been involved in this since 1970. I worked under Ed McGinnis for one year.

I prepare memoranda, I prepare documents, I prepare sample pleadings for all lawyers who seek help in preparing and handling an adoption case in Cook County. I supply them with the forms, I tell them how to handle it to the best advantage because, finally, as guardian ad

litem, I feel the child must get the best possible help to secure an adoption.

Q. Would you tell the Court at this time the number of adoption cases that you have come in contact with each year as a result of your duties?

A. There has been a decline in them. Let's go back the last couple of years. It has been from twenty-five hundred cases in 1974 it has declined to twenty-one hundred and forty-four cases in 1977. I have been appointed guardian
19 in between thirty and thirty-five percent of all those cases filed.

Q. And so as a result of your experience are you familiar with the practice, procedures and laws in the State of Illinois relating to adoption of children?

A. I am.

Q. All right, do you, because of your duties, have contact and conversations with attorneys practicing in the area of adoptions in the State of Illinois?

A. Each and every day and all day long.

Q. Do you have access to Court records in the Circuit Court of Cook County relating to the adoption of children?

A. I do.

Q. Would you briefly tell the Court the types of adoptions that are recognized and do take place within the State of Illinois?

A. There are only three types of adoptions. One is called an agency adoption where the agency places the child in the custody of the petitioners; and the second is a private placement adoption where a mother might be giving birth to an illegitimate child and she doesn't want the child and she places it out for adoption. She can do that through an agency but she can also do it on the recommendation of a friend or through the doctor who find a couple or knows of a couple who want a child.

20 And the third is the related type of adoption which most commonly is where there is a divorce in the family, a re-

marriage and a new husband wants to adopt the children by the previous marriage.

Q. Now, within the State of Illinois, do the Illinois Courts allow the private placement of children for adoption?

A. The Circuit Court of Cook County most certainly does and to my knowledge every County in the State does.

Q. And at my request have you brought to Court certain statistics relating to the number of private adoptions within Cook County during the last several years?

A. Yes, I conferred with the clerk of the Court and picked the figures up out of the book in the County Division.

Q. Would you please tell the Court the number of private adoptions going back to the figures that you have?

A. In 1974 out of twenty-five hundred and eighty-seven cases filed in the County, four hundred and thirteen were private placements. In 1975 there were twenty-eight hundred and forty-six cases filed and four hundred and seventy-three private placements.

21 In 1976 there were twenty-four hundred and sixty-eight cases and three hundred and twenty were private placements.

In 1977, last year, there were only twenty-one hundred cases filed but out of that three hundred and three were private placements.

Q. Now, Mr. Parnell, based on your knowledge and experience with attorneys in Illinois and frequently performing legal services in connection with adoption of children, and private placement thereof, do they, based on your experience, do they receive legal fees for that?

A. Yes, they do.

Q. And are those legal fees in some type of report, reported to the Court in connection with the private placement of children?

A. Our Circuit Court Judge Harry Comerford requires it in every private placement and agency case, a schedule of expenses in connection with that adoption. It is to be signed under oath by the petitioners and attested to by the attorney.

Q. Based on your knowledge and experience, do you know of any statute in Illinois that prohibits the private placement of children for adoption in Illinois?

22 A. No.

Q. Based on your experience, and—you don't need to give me the exact number—but based on your experience, do most States allow in some form or another private placement of children for adoption, to your knowledge?

A. Well, as a member of the adoption committee of the bar association, we have discussed this.

THE COURT: The Chicago Bar?

THE WITNESS: The Chicago Bar Association.

Our last discussion as I recall it, there were five States in the entire fifty that do not allow private placement of children.

MR. WEBB: Q. Based on your knowledge and experience, here in Illinois, do attorneys in Illinois on occasion perform legal services in connection with the private placement of children for adoption in States other than the State of Illinois?

A. Yes, I have heard that they do, they have conferred with me as to how best to handle it

MR. WEBB: I have no further questions, Your Honor.

MR. GLENVILLE: Your Honor, at this time I would make a motion that all of this testimony of the expert
23 witness, Mr. Parnell, be stricken from the record. It is immaterial, it is irrelevant.

Our United States Supreme Court in Muncie versus Klew, 196 U.S., 364 —

THE COURT: I'm going to adhere to my prior ruling.

MR. GLENVILLE: I am just making my motion.

THE COURT: I am asking you, would you like to cross examine him.

MR. GLENVILLE: I have no cross examination, Your Honor.

THE COURT: All right.

MR. WEBB: Thank you, Mr. Parnell.

(Witness excused.)

* * *

30 THE COURT: Well, in the absence of any case that you can cite to me, it seems to me a fairly logical argument; still in the absence of any case law, I am going to deny the petition for the writ of habeas corpus and remand the Petitioner to the County Sheriff to be delivered to the State of New Jersey.

This seems to me it would be a case of first impression and you can take an appeal on it.

MR. WEBB: I would make a motion to stay the mittimus for some time to give me an opportunity to file the appropriate notice of appeal.

THE COURT: Okay, the petition for the writ of habeas corpus—

MR. WEBB: And to fix bond too, Your Honor.

THE COURT: — that's denied.

***S4 Prosecutor's Requisition to Governor, Omitting Caption and Signature (there are no attachments):**

STATE OF NEW JERSEY, }
COUNTY OF BERGEN } ss.

, NEW JERSEY, August 18, 1977

To his Excellency, the Governor:

Roger W. Breslin, Jr. of full age, being duly sworn according to law on his/her oath says that he/she is the Prosecutor of Bergen County.

I have the honor to request that you issue a requisition upon the Governor of the State of Illinois for the extradition of Donald Newman who stands charged with the crime(s) of (1) Conspiracy to violate the adoption laws. 1st count. (2) Conspiracy to violate the adoptions laws. 2nd count. (3) Conspiracy to violate the adoption laws. 3rd count. (see attached) committed in the counties of Bergen & Passaic on the 1st day of December 1971, to the 31st day of August, 1976 the punishment for which is defined in N.J.S.A. 2A:98-1 and 2A:98-2, and, as I am informed, is within the jurisdiction of said State of Illinois (delete if non-applicable) The fugitive was outside the boundaries of New Jersey at the time of commission of the crime(s) but caused a crime to be committed in the State of New Jersey. (delete if present in N.J.)

I hereby certify that, in my opinion, the ends of public justice require the fugitive to be brought to this State for trial at the public expense, and that I am willing that any expense shall be a charge on the county of Bergen, in which the crime(s) were committed.

I also certify, that I have carefully examined into the facts, and verily believe that there is sufficient evidence to secure a conviction of the said fugitive.

---

*S refers to the Supplemental Record.

I designate and recommend Capt. Raymond Morrissey and Lt. Henry Gancarz who are in charge of my Fugitive Squad, their duly designated agent(s), as proper person(s) to be appointed agent(s) of the State, and certify that they
S5 have no personal interest in the arrest and return of the fugitive other than that of a proper performance of official duty.

I am not aware of, and verily believe that there never has been, any former application for a requisition for the same person, for the same offense(s), which are the basis of this application. (list details if there has been a previous attempt.)

I am aware and verily believe the said fugitive is now under criminal arrest, as appears from the Supporting Affidavit hereto annexed.

I further certify that the requisition for his extradition is made in good faith, with the sole intent to prosecute him for said crime(s), and not to secure his return to this State to afford opportunity to serve him with civil process, nor for any other purpose.

And I further certify that all papers have been compared with each other, and are in all respects exact counterparts.

And I further certify that the assertions set forth in the Supporting Affidavit and other papers are, to the best of my knowledge, true.

Application for the arrest and return of said fugitive has not been sooner made because his whereabouts could not be ascertained.

Attachments:

1. Supporting Affidavit.
2. Affidavit of Arresting Officer. Witness or Victim identifying a photograph, if one is available.
3. Indictment, Accusation.
4. Warrant(s).
5. Fingerprints, if available.

6. Exemplification of all documents.
7. In cases of violations or failure to appear, attach order of conviction, probation or parole agreement and revocations.

S13 **Bergen County, New Jersey, indictment, omitting caption and signature:**

The Grand Jurors of the State of New Jersey, for the County of Bergen, upon their oaths present as a

FIRST COUNT

that DONALD NEWMAN, named as a defendant herein, and MR. and MRS. L., known to this Grand Jury but not named as defendants herein, between December 1, 1971 and April 30, 1972 in the Township of Wayne, County of Passaic, and other locations both known and unknown to this Grand Jury, and within the jurisdiction of this Court, did commit the crime of conspiracy in that then and there they unlawfully conspired together to commit the following crimes:

1. To unlawfully place and assist in the placement of an infant child, known to this Grand Jury but not named herein, in the home of MR. and MRS. L., persons known to this Grand Jury but not named herein, for the purpose of
S14 adoption, the said home not being that of a brother, sister, aunt, uncle, grandparent or step-parent of such child and the said DONALD NEWMAN not being the natural or adopting parent of the child and not having been approved for such purpose as provided by law, contrary to the provisions of N.J.S. 2A:96-6;

2. To unlawfully place and assist in the placement of an infant child, known to this Grand Jury but not named herein, in the home of MR. and MRS. L., persons known to this Grand Jury but not named herein, for the purpose of adoption, and in so doing unlawfully take and receive money to the amount of $3,200 therefor, contrary to the provisions of N.J.S. 2A:96-7.

OVERT ACTS

And that in execution of the aforesaid conspiracy and to effect the object thereof the overt acts following were done:

1. During the month of December, 1971, the exact date being unknown to this Grand Jury, MR. and MRS. L. spoke by telephone with DONALD NEWMAN about obtaining a baby for adoption.

2. During the latter part of December, 1971, DONALD NEWMAN contacted MR. and MRS. L. by telephone at their home in Wayne, New Jersey, to tell them that he knew of a pregnant woman who would give up her baby for adoption.

3. Between December 1, 1971 and April 20, 1972 there
S15 were a series of telephone conversations between DONALD NEWMAN in Chicago, Illinois, and MR. and MRS. L. in Wayne, New Jersey, wherein the arrangements for the placement of the baby, when born, were discussed, including, among other things, a charge of $3,200 to be paid by MR. and MRS. L. to DONALD NEWMAN.

4. On or about April 20, 1972 DONALD NEWMAN contacted by telephone MR. and MRS. L. at their home in Wayne, New Jersey to tell them that the baby had been born.

5. On or about April 22, 1972 MR. and MRS. L. flew to Chicago, Illinois, where they obtained the baby fron DONALD NEWMAN and gave him the balance due him, approximately $3,000;

all contrary to the provisions of N.J.S. 2A:98-1 and N.J.S. 2A:98-2, and against the peace of this State, the government and dignity of the same.

SECOND COUNT

AND the Grand Jurors aforesaid, upon their oaths aforesaid, do further PRESENT that DONALD NEWMAN, named as a defendant herein, and MR. and MRS. C., known to this Grand Jury but not named as defendants herein, between July 1, 1975 and August 31,

1975 in the Township of Wayne, County of Passaic, and the City of Paterson, County of Passaic, and other locations both known and unknown to this Grand Jury, and within the jurisdiction of this Court, did commit the crime
S16 of conspiracy in that then and there they unlawfully conspired together to commit the following crimes:

1. To unlawfully place and assist in the placement of an infant child, known to this Grand Jury but not named herein, in the home of MR. and MRS. C., persons known to this Grand Jury but not named herein, for the purpose of adoption, the said home not being that of a brother, sister, aunt, uncle, grandparent or step-parent of such child and the said DONALD NEWMAN not being the natural or adopting parent of the child and not having been approved for such purpose as provided by law, contrary to the provisions of N.J.S. 2A:96-6;

2. To unlawfully place and assist in the placement of an infant child, known to this Grand Jury but not named herein, in the home of MR. and MRS. C., persons known to this Grand Jury but not named herein, for the purpose of adoption, and in so doing unlawfully take and receive money to the amount of $6,000 therefor, contrary to the provisions of N.J.S. 2A:96-7.

OVERT ACTS

And that in execution of the aforesaid conspiracy and to effect the object thereof the overt acts following were done:

1. During the month of July, 1975, the exact date being unknown to this Grand Jury, MR. and MRS. C. contacted DONALD NEWMAN from their home in
S17 Wayne, New Jersey by telephone, and at that time DONALD NEWMAN informed them he had a baby available which they could adopt.

2. Several days later MR. and MRS. C. contacted DONALD NEWMAN by telephone from either Wayne, New Jersey or Paterson, New Jersey to accept the baby which had been offered to them.

3. During the aforementioned telephone calls it was agreed that MR. and MRS. C. would pay DONALD NEWMAN $6,000 for obtaining the baby.

4. On or about July 28, 1975 MR. C. mailed a money order in the amount of $500 from Wayne, New Jersey to DONALD NEWMAN in Chicago, Illinois.

5. On or about July 31, 1975 MR. and MRS. C. flew to Chicago, Illinois, where they obtained the baby from DONALD NEWMAN, and gave him a certified check for $1,000 and cash in the amount of $4,500;

all contrary to the provisions of N.J.S. 2A:98-1 and N.J.S. 2A:98-2, and against the peace of this State, the government and dignity of the same.

THIRD COUNT

AND the Grand Jurors aforesaid, upon their oaths aforesaid, do further PRESENT that DONALD NEWMAN, named as a defendant herein, and MR. and MRS. S., known to this Grand Jury but not named as defendants herein, between June 1, 1976 and August 31,
S18 1976 in the Borough of Fair Lawn, County of Bergen, and other locations both known and unknown to this Grand Jury, and within the jurisdiction of this Court, did commit the crime of conspiracy in that then and there they unlawfully conspired together to commit the following crimes:

1. To unlawfully place and assist in the placement of an infant child, known to this Grand Jury but not named herein, in the home of MR. and MRS. S., persons known to this Grand Jury but not named herein, for the purpose of adoption, the said home not being that of a brother, sister, aunt, uncle, grandparent or step-parent of such child and the said DONALD NEWMAN not being the natural or adopting parent of the child and not having been approved for such purpose as provided by law, contrary to the provisions of N.J.S. 2A:96-6;

2. To unlawfully place and assist in the placement of an infant child, known to this Grand Jury but not named herein, in the home of MR. and MRS. S., persons known to this Grand Jury but not named herein, for the purpose of adoption, and in so doing unlawfully take and receive money to the amount of $2500 therefor, contrary to the provisions of N.J.S. 2A:96-7.

OVERT ACTS

And that in execution of the aforesaid conspiracy and to effect the object thereof the overt acts following were done:

1. On or about June 22, 1976 DONALD NEWMAN
S19 contacted by telephone MR. and MRS. S. at their home in Fair Lawn, New Jersey and offered to place a baby with them for the purpose of adoption.

2. On or about June 23, 1976 MR. and MRS. S. telephoned DONALD NEWMAN to accept the baby he had offered.

3. Shortly thereafter, MR. and MRS. S. mailed $500 to DONALD NEWMAN in Chicago, Illinois.

4. On or about August 23, 1976 DONALD NEWMAN telephoned MR. and MRS. S. at their home in Fair Lawn, New Jersey to inform them that the baby had been born.

5. On or about August 28, 1976 MR. and MRS. S. flew to Chicago, Illinois, where they obtained the baby from DONALD NEWMAN and paid him the balance due of $1,980;

all contrary to the provisions of N.J.S. 2A:98-1 and N.J.S. 2A:98-2, and against the peace of this State, the government and dignity of the same.

Supreme Court, U.S.
FILED
MAR 1 1980
MICHAEL RODAK, JR., CLERK

No. 79-1020

IN THE

Supreme Court of the United States

OCTOBER TERM, 1979

DONALD NEWMAN,

Petitioner,

vs.

RICHARD J. ELROD, Sheriff of Cook County,

Respondent.

On Petition For A Writ Of Certiorari To The Supreme Court Of Illinois

BRIEF FOR RESPONDENT IN OPPOSITION

BERNARD CAREY,
State's Attorney of Cook County, Illinois,
500 Richard J. Daley Center,
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IN THE

Supreme Court of the United States

OCTOBER TERM, 1979

DONALD NEWMAN,

Petitioner,

vs.

RICHARD J. ELROD, Sheriff of Cook County,

Respondent.

On Petition For A Writ Of Certiorari To The Supreme Court Of Illinois

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BRIEF FOR RESPONDENT IN OPPOSITION

OPINIONS BELOW

The opinion of the Illinois Appellate Court, First District is reported as *Donald Newman v. Richard J. Elrod*, Sheriff of Cook County, Illinois, 72 Ill. App. 3d 616, 391 N.E.2d 37 (1st Dist. 1979). The Supreme Court of Illinois denied the Petitioner's Leave to Appeal on October 1, 1979, reported at 76 Ill. 2d, October 17, 1979 advance sheet at p. xxvii (Docket No. 52291).

JURISDICTION

The jurisdictional requisites have been set forth in the Petition for a Writ of Certiorari. However, as treated more fully within the following argument the respondent does not believe that the petitioner has shown any good reason for this Court to exercise its sound discretion to grant his Petition.

QUESTION PRESENTED FOR REVIEW

Whether this Court should grant certiorari in a non-fugitive extradition cause where this Court has decided that the petitioner's Fourth Amendment rights are safeguarded where a probable cause determination has been made in the demanding state, and where both this Court's decisions and Illinois law forbid inquiry into the intent of the petitioner in performing the acts at issue especially where those acts are criminal in both the demanding and asylum states.

STATUTES INVOLVED

Ill. Rev. Stat. 1977, ch. 60, § 23 (Uniform Extradition Act § 6)

> Extradition of Persons Not Present in Demanding State at Time of Commission of Crime. The Governor of this State may also surrender, on demand of the Executive Authority of any other state, any person in this State charged in such other state in the manner provided in Section 3 with committing an act in this State, or in a third state, intentionally resulting in a crime in the state whose Executive Authority is making the demand.

New York Criminal Procedure Laws § 570.16 (McKenny's, 1971)

> The Governor of this State may also surrender, on demand of the Executive Authority of any other State, any person in this State charged in such other state in the manner provided in Section 3 with committing an act in this State, or in a third state, intentionally resulting in a crime in the state whose Executive Authority is making the demand when the acts for which extradition is sought would be punishable by the laws of this state, if the consequences claimed to have resulted therefrom in the demanding state had taken effect in this state; and the provisions of this article not otherwise inconsistent, shall apply to such cases, even though the accused was not in that state at that time of the commission of the crime, and has not fled therefrom; provided, however, that the governor of this state may, in his discretion, make any such surrender conditional upon agreement by the executive authority of the demanding state, that the person so surrendered will be held to answer no criminal charges of any nature except those set

forth in the requisition upon which such persons has been given reasonable opportunity to return to this state after his acquittal, if he shall be acquitted, or if he shall be convicted, after he shall be released from confinement. Nothing in this section shall apply to the crime of libel.

Rhode Island General Laws, 1956 § 12-9-8

The Governor of this State may also surrender, on demand of the Executive Authority of any other State, any person in this State charged in such other state in the manner provided in Section 3 with committing an act in this State, or in a third state, intentionally resulting in a crime in the state whose Executive Authority is making the demand when the acts for which extradition is sought would be punishable by the laws of this state, if the consequences claimed to have resulted therefrom in the demanding state had taken effect in this state; and the provisions of this chapter, not otherwise inconsistent, shall apply to such cases, even though the accused was not in that state at the time of the commission of the crime, and has not fled therefrom; provided, however, that the governor of this state may, in his discretion, make any such surrender conditional upon agreement by the executive authority of the demanding state, that the person so surrendered will be held to answer no criminal charges of any nature except those set forth in the requisition upon which such person is so surrendered, at least until such person has been given reasonable opportunity to return to this state after his acquittal, if he shall be acquitted, or if he shall be convicted, after he shall be released from confinement. Nothing in § 12-9-7 and § 12-9-8 shall apply to the crime of libel.

New Jersey Statutes 2 A § 96-7

No person, including a natural parent or parent by adoption, and no firm, corporation, association or agency approved to place children for adoption as provided by law, shall place, offer to place, or in any manner assist in the placement of a child in the home of any other person or persons for the purpose of adoption and, in so doing, take, receive or pay any money or anything of value, or undertake or discharge any financial obligation, except in connection with the birth and any illness of the child. Any person, including a natural parent or parent by adoption, and any firm, corporation, association or agency, other than an agency approved to place children for adoption as provided by law, violating this section, shall be guilty of a high misdemeanor.

Ill. Rev. Stat. 1977, ch. 4, § 12-1

No person and no agency, association, corporation, institution, society, or other organization, except a child welfare agency as defined by the "Child Care Act," approved July 10, 1957, as now or hereafter amended, shall request, receive or accept any compensation or thing of value, directly or indirectly, for placing out of a child.

Ill. Rev. Stat. 1977, ch. 4, § 12-5

Any person, agency, association, corporation, institution, society, or other organization violating the provisions of this Section shall be guilty of illegal placement of children and upon first conviction for an offense under this Act shall be guilty of a Class A misdemeanor; and upon conviction for any subsequent offense under this Act shall be guilty of a Class 3 felony.

STATEMENT OF THE CASE

Donald Newman was indicted in New Jersey, Indictment Number S-385-77, for Conspiracy to violate the adoption laws of New Jersey (N.J.S. 2A: 96-6, 2A: 96-7) in a three count indictment. (R. S4-4F) On August 19, 1977, the Governor of New Jersey requested that the Governor of Illinois extradite Donald Newman. (R. S1) On October 18, 1977, Governor James R. Thompson of Illinois issued a warrant for Donald Newman's arrest. (R. S warrant) On October 25, 1977, Donald Newman filed a Petition for Writ of *habeas corpus*. (R. C3)

At the hearing held on January 24, 1978, on the petition for *habeas corpus*, Assistant State's Attorney John Glenville offered into evidence the extradition warrant and rested the People's case. (R. 2) The petitioner's attorney, Daniel Webb, argued that Donald Newman was never in New Jersey, and argued that the Governor's warrant and underlying documents were not sufficient to establish the identity of that person as the relator since there is no indication of a middle name, address or even that the Donald Newman indicted was an attorney. (R. 3, 4) Mr. Webb concluded that the name Donald Newman on the papers, in and of itself, was not a sufficient showing of identity and stated that the evidence he offered rebutted the presumption of identity. (R. 5, 6)

Assistant State's Attorney Glenville responded that the Sheriff need not prove identity when the names are similar unless the relator submits proof to show otherwise, and relator has submitted no evidence to overcome the presumption. (R. 7) Mr. Glenville stated

that the court had heard absolutely no evidence that the relator was not the Donald Newman wanted in New Jersey. (R. 10, 11) Judge Schreier stated that he did not find Newman's evidence persuasive, and that the case law in Illinois as cited by Mr. Glenville authorizes the procedure employed by the People. (R. 11)

Mr. Webb then argued his second contention that the actions alleged to have been committed in Chicago "is perfectly legal under Illinois law;" placing a child privately for adoption is prohibited only in New Jersey. (R. 12, 13) Mr. Webb argued that under Section 23 [Uniform Criminal Extradition Act. § 6, as adopted in Illinois Chapter 60, § 23] a person must perform an act intentionally resulting in a crime in the other state, not inadvertently violating a law in New Jersey. (R. 13) Mr. Webb argued that Illinois has not defined "intentional" in the Act, but New York has and New York requires that the act performed also violate New York law. (R. 14) Mr. Webb concluded that what is alleged here is "not something that is commonly illegal." (R. 16)

Mr. Webb then called to testify Melvin R. Parnell, an attorney appointed as a guardian *ad litem* in adoption cases as an authority on adoption laws in Illinois over the objection of Assistant State's Attorney Glenville. (R. 16, 17) Mr. Parnell testified that every county in Illinois allows private adoption and attorneys receive fees for their services. (R. 20, 21)

Mr. Webb then argued that the warrant in front of the court must set forth the language "intentionally committed an act resulting" in a New Jersey crime and the warrant on its face has left out the word intentional and only states "perform an act in Illinois resulting in a crime in New Jersey." (R. 23, 24) Mr. Webb concluded

that an Illinois citizen should not be sent to New Jersey without intent being stated in the requisition papers and therefore the relator had overcome the presumption created by the introduction of the papers. (R. 28) Assistant State's Attorney Glenville then offered into evidence the supporting documents referred to by Mr. Webb. (R. 28) Mr. Glenville stated the government is considering all the papers as a whole. (R. 28, 29)

The trial court denied the petition for writ of *habeas corpus* and remanded the petitioner to the Sheriff to be delivered to New Jersey. (R. 30) The mittimus was stayed to file a notice of appeal and the present bond was ruled to stand. (R. 30)

On May 18, 1979, the Appellate Court of Illinois, First District rendered its opinion in this cause. The Appellate Court held that the trial court properly denied the petitioner's *habeas corpus* petition in that the extradition papers were sufficient on their face to support extradition and the presumption that the petitioner was the Donald Newman desired by New Jersey authorities was not rebutted.

The Appellate Court held that § 23 of the Illinois Extradition Act refers to individuals not in the demanding state at the time the offense occurred and that this differs from fugitive extradition. The Court found that the New York and Rhode Island provisions relied upon by the petitioner for his position that his actions must constitute a crime in the asylum state (Illinois), differed from the Uniform Act and Illinois' provision by specifically stating such a requirement. The Court also found that even though criminality in Illinois is not required for extradition, the petitioner's actions did constitute a crime in Illinois.

The Appellate Court stated that any consideration as to whether the petitioner intended his conduct to result in a crime in New Jersey would be improper for an asylum state court and relied upon this Court's decision in *Michigan v. Doran*, 439 U.S. 282, 99 S.Ct. 530 (1978). The Appellate Court then affirmed the trial court's actions in denying the *habeas corpus* petition.

The petitioner filed a Petition for Rehearing in the Appellate Court which was denied on June 21, 1979. The petitioner filed a Petition for Leave to Appeal to the Supreme Court of Illinois which was denied on October 1, 1979.

It is from the decision of the Illinois Appellate Court, after leave to appeal was denied by the Illinois Supreme Court, that the petitioner brings this petition for *certiorari*.

REASONS FOR DENYING THE WRIT OF CERTIORARI

CERTIORARI DOES NOT LIE FOR A NON-FUGITIVE EXTRADITION CAUSE WHERE THIS COURT HAS DECIDED THAT THE PETITIONER'S FOURTH AMENDMENT RIGHTS ARE SAFEGUARDED WHERE A PROBABLE CAUSE DETERMINATION HAS BEEN MADE IN THE DEMANDING STATE, AND WHERE BOTH THIS COURT'S DECISIONS AND ILLINOIS LAW FORBID INQUIRY INTO THE INTENT OF THE PETITIONER IN PERFORMING THE ACTS AT ISSUE ESPECIALLY WHERE THOSE ACTS ARE CRIMINAL IN BOTH THE DEMANDING AND ASYLUM STATES.

The petitioner seeks the granting of a writ of *certiorari* by this Court and claims that permitting his extradition to New Jersey for acts committed totally within Illinois and which constitute legal actions in Illinois is a violation of his Fourth Amendment rights (Pet. for Cert. at 11) The respondent maintains that the facts of this case neither permit the formulation, nor the resolution of the issue raised by the petitioner and moreover the respondent notes at the outset that a petition for writ of *certiorari* is improperly brought upon this basis. The petitioner has failed to show that the Illinois Appellate Court has decided this question in a way probably not in accord with applicable decisions of this Court. See Rule 19(1)(a) Supreme Court of the United States. Although the petitioner has completely failed to show the need for this Court, in its sound discretion, to grant his petition. The respondent, believing that the Illinois Appellate Court has properly determined this issue upon the merits will briefly address those merits.

The petitioner asks this Court to carve out a totally new body of law for non-fugitive extradition under § 6 of the Uniform Extradition Act. That is to require the asylum state court to determine probable cause for the charges extraditon is sought for and to determine whether those actions constituted a crime in the asylum state (Pet. for Cert. at 8, 9) This position is totally refuted by this Court's decisions and Illinois law. All authority cited by the petitioner to support this requirement is totally distinguishable and does not in fact support his position. This Court has held that the Extradition Clause of the United States Constitution was intended to enable each state to swiftly bring offenders to trial where a judicial determination of probable cause has been made by the demanding state. *Michigan v. Doran*, 439 U.S. 282, 99 S.Ct. 530 (1978).

The petitioner contends that § 23 (Ill. Rev. Stat. 1977, Ch. 60, § 23) requires that his actions intentionally resulted in a crime in the demanding state, and that these actions of the relator must constitute a crime in Illinois. The petitioner states that Donald Newman's actions were not criminal in Illinois thereby barring extradition and he relies on New York and Rhode Island law for this proposition. This Court's decisions have forbidden such an inquiry which must be limited solely to whether the demanding state made a finding of probable cause and whether the requisition papers were in order. *Michigan v. Doran.*

From the onset, the respondent maintains that criminality of actions under Illinois law is not a requirement for extradition. The only jurisdictions requiring such proof are New York and Rhode Island which have adopted very different statutes from that in Illinois. The

Illinois legislature in § 23 had adopted the exact language of the Uniform Criminal Extradition Act, § 6, and only that language.

The New York statute (N.Y. CPL § 570.16) after reciting the Uniform Act language states in addition:

> when the acts for which extradition is sought would be punishable by the laws of this state, if the consequences claimed to have resulted therefrom in the demanding state had taken effect in this state; (*Infra* at 3)

The Rhode Island statute (R.I. Gen. Laws § 12-9-8) also tacks on additional language after what constitutes the entire Illinois statute,

> when the acts for which extradition is sought would be punishable by the laws of this state, if the consequences claimed to have resulted therefrom in the demanding state had taken effect in this state; (*See Infra* at 4)

Therefore New York and Rhode Island specifically included language requiring the act to be a crime in their state. Forty-four other states have adopted the Uniform Extradition Act, and none have included the extra New York or Rhode Island language. Of these 44 other states, 42 of them have adopted the Uniform Criminal Extradition Act Sec. 6. Most of these states have adopted the exact language, and a few have adopted different language with the same substance. The Illinois Appellate Court specifically held that the Illinois statute did not contain this extra language contained in the Rhode Island and New York provisions and refused to interject that requirement into the Illinois statute.

Under the Illinois statute the requirement that the petitioner's actions constitute a crime in the State of Illinois

is not required to be shown at a *habeas corpus* proceeding. Had such a requirement been envisioned by the legislature, the New York and Rhode Island additional language would have been included. The only jurisdictions with case law requiring such a showing are New York and Rhode Island. The relator cites *In re Taylor*, 66 Misc. 2d 1006, 323 N.Y.S.2d 128 (S.Ct., 1971), which explicitly recognizes the difference between its statute and those in the rest of the nation.

> However, unlike this provision of the uniform law as it has been adopted in every other state, Section 834 (sec. 570.16) of the New York Code of Criminal Procedure imposes a condition precedent to the surrender of an accused person. It requires the acts for which extradition is sought would be punishable by the laws of this state . . . 66 Misc. 2d at 1009, 323 N.Y.S.2d at 132.

This case is not precedent for the application of this condition precedent in a state without the requirement in its statute. The requisition papers from New Jersey sustained the burden of proof under § 23 as required by Illinois law.

However, even though such a showing need not be made, Donald Newman's actions *do* constitute a crime in Illinois. The New Jersey indictment charges Donald Newman with conspiracy to commit a violation of N.J.S. 2A: 96-6 and 2A: 96-7 and alleges that he unlawfully received money $3,200, $6,000, $2,500, from the unnamed co-conspirators (R. S4A, 4B, 4C, 4D, 4E, 4F), receiving that money in Chicago by mail and in person.

N.J.S. 2A § 96-7 states, that no person may offer, assist or place a child for adoption and "in so doing, take, receive or pay any money or anything of value," Chapter 4, § 12-1 of the Illinois Revised Statutes (1977)

states that no person shall receive or accept any compensation or thing of value, directly or indirectly, for the placing out (adoption) of a child, and § 12-5 states, that any person violating § 12-1 is guilty upon first conviction of a Class A misdemeanor and upon subsequent conviction of a Class 3 felony.

These sections were interpreted in *People v. Schwartz*, 64 Ill. 2d 275, 356 N.E.2d 8 (1976), *cert. denied* 429 U.S. 1098 where the statute was found to be constitutional and not an infringement upon an attorney's ability to perform legal services where Spencer Schwartz, an Illinois attorney, received $6,500 for his services in regard to a private adoption. His actions were held to be encompassed by the Act and his conviction affirmed. The Illinois Appellate Court in the cause held that the defendant's actions as set forth in the indictment would constitute a crime in Illinois, citing *Schwartz*.

The actions of Donald Newman, as alleged in the indictments, in arranging adoptions and receiving sums of money for those arrangements in Chicago, does constitute a crime in Illinois. Newman could be prosecuted in Illinois for conspiracy to commit the crime or the crime itself. Extradition would therefore be warranted even *if* Illinois had a statute requiring the actions of the relator to constitute a crime in Illinois. Newman's actions therefore could not be interpreted other than intentionally resulting in a crime in New Jersey. The relator characterizes his actions as private placement of children for adoption which, he maintains, is legal in 43 states and Illinois and maintains at the hearing he established its legality. As shown above, mere private placement may or may not be unlawful in Illinois, but receiving compensaton for the placement in

the amount specified does not constitute proper legal fees and *is illegal*.

The petitioner cites *Ierardi v. Gunter*, 528 F.2d 929 (1st Cir. 1976), for the requirement that probable cause for the charge upon which extradiction is requested must be found at a *habeas corpus* proceeding and that under *Ierardi* the only correct meaning of § 6 (Illinois § 23) is that probable cause must be *inquired* into before extradition and probable cause constitutes whether the conduct is criminal in Illinois. *Ierardi*, does state that a probable cause determination is a prerequisite to interstate extradition, but holds that where a demanding state determines probable cause for the charges, the sanctuary state can rely on the determination of its sister state. *Ierardi* never equated probable cause as illegality in the sanctuary state and cannot be read to in any way reach that issue. In the instant cause, a New Jersey grand jury found probable cause for the charges and voted a true bill of indictment. That indictment accompanies the requisition papers and shows that probable cause has been determined for these charges.

The respondent argues that the word "intentionally" cannot be ignored in a determination of probable cause and that the Appellate Court improperly "blended" fugitive and non-fugitive extradition concepts in refusing to examine the underlying conduct. (Pet. for Cert. at 8, 9) The respondent relies upon this Court's opinion in *Michigan v. Doran*, 439 U.S. 282, 99 S.Ct. 530 (1978), to support his probable cause argument and contends that the Appellate Court improperly relied upon the decision in support of its refusal to examine the petitioner's conduct. The petitioner argues that *Michi-*

gan v. Doran requires that a determination of probable cause be made in the state where the conduct occurred and that Illinois never made such a determination. This Court in *Michigan v. Doran* stated that,

> In short when a neutral judicial officer of the demanding state has determined that probable cause exists, the Courts of the asylum state are without power to review the determination. 99 S.Ct. at 536.

The concurring opinion in *Michigan v. Doran*, considered the Fourth Amendment rights of the individual and held that where a determination of probable cause is made in the demanding state, the asylum state cannot probe the factual sufficiency of that finding.

The petitioner was indicted by a New Jersey Grand Jury for his actions performed in Illinois which caused private adoptions in New Jersey and which caused a breach of New Jersey law. Probable cause was thus determined by the demanding state, and this Court's requirements are satisfied. To extend this Court's holding in *Doran* to require the asylum state to render a second probable cause finding, totally distorts this Court's decision and the body of law upon which it is based.

The Appellate Court held that a consideration into whether the petitioner's conduct was intended to result in a crime elsewhere would be improper under the fugitive section of the act and relied upon *Michigan v. Doran*. It held that such consideration has been held improper in other jurisdictions under non-fugitive extradition statutes comparable to that in Illinois and relied upon *McCullough v. Darr*, 219 Kan. 477, 548 P.2d 1245 (1976) and *Conrad v. McClearn*, 166 Colo. 568, 445 P.2d 222 (1968). The Court's use of *Doran* was in fact proper.

In *Salazar v. Sandstrom*, 355 S.2d 145 (Fla. App. 3rd Dist. 1978), the court considered extradition of a Florida resident for his actions in Florida constituting a crime in Michigan under § 6 of the Uniform Extradition Act. The *Salazar* Court held that it would not concern itself with the legality of the criminal prosecution pending against the petitioner in the demanding state, and ordered extradition under fugitive extradition principles.

There is therefore no requirement under non-fugitive extradition law that probable cause must be *again* determined in the asylum state, and a "blending" or comparing of fugitive and non-fugitive extradition law is an acceptable and proper practice for asylum courts considering Uniform Act § 6 actions.

The Fourth Amendment is hardly violated by extradition of an Illinois resident whose acts in Illinois constituted a crime in both the demanding and asylum states and who received a probable cause determination by way of indictment in the demanding state. For all of the above stated reasons, the respondent urges that because the Illinois Appellate Court properly decided this issue on the merits, because the decision of the Illinois Appellate Court is in accord with decisions of this Court, and because the petitioner has failed to show any need for this Court to grant his petition for a Writ of *Certiorari*, such petition should be denied.

CONCLUSION

The respondent, Richard J. Elrod, Sheriff of Cook County, respectfully requests that the petition for a writ of certiorari be denied.

Respectfully submitted,

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